

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3897 OF 2021

Harun @ Haroon Khan

***..... Petitioner
Mr. Rajeet Roy, Adv.***

-versus-

State of Orissa

***..... Opposite Party
Mr. S.S. Mohapatra, ASC***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
11.03.2022**

**Order No.
05.**

1. This matter is taken up through Hybrid Mode.
2. Being aggrieved by the order dtd. 10.05.2021 passed by the Learned A.D.J.-cum-Special Court under POCSO Act, Cuttack in BLAPL No. 581 of 2021, rejecting the bail application of the petitioner, the present BLAPL has been filed.
3. Heard Mr. Rajeet Roy, learned counsel for the petitioner and Mr. S.S. Mohapatra, learned Additional Standing Counsel for the State.
4. The petitioner is an accused in G.R. Case No. 1985 of 2014 arising out of Lalbag P.S. Case No. 182 of 2014 for the alleged commission of offence punishable under Sections.420/465/467/468/120-B/34 of the I.P.C. after the investigation the Final Form has been submitted against the present petitioner and one Jahangir Alli Molla showing him as an absconder under the sections referred to above on 27.06.2021.

5. The petitioner was taken into custody on 29.04.2021.

6. It is stated by the learned counsel for the petitioner that the petitioner is a victim of the circumstances and in fact he had himself lodged the report to the Crime Branch (CB), which is annexed to the present Bail Application, complaining against the other absconding accused- Jahangir Alli Molla.

7. It is further stated that, since charge sheet has been filed and the accusation is more or less based on documentary evidence, further detention of the petitioner is punitive.

8. Learned counsel for the state rebuts such submission of the learned counsel for the petitioner and urges with vehemence that the petitioner is a partner in crime and he had played an active role, in duping the financial institution and he is not entitled to any relief from this Court.

9. Taking into account, the age of the petitioner and that charge-sheet has already been filed in the case at hand, this court feels that release of the petitioner will not impede further investigation, if any.

10. Accordingly, this Court directs the petitioner to be released on bail. Learned Court below to fix the terms.

11. The Bail Application thus stands disposed of.

12. Urgent certified copy of this order be granted as per rule.