

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.4209 of 2021**

***Kamalendu Pahadi***

....

***Petitioner***

Mr. B.S. Dasparida, Advocate

*-versus-*

***Republic of India***

....

***Opposite Party***

Mr. S. Nayak, Advocate for Republic of India

**CORAM:**

**JUSTICE B. P. ROUTRAY**

**ORDER**

**25.02.2022**

**Order No.**

06.

1. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.420/409/120-B, I.P.C. and Secs.4/6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978.

2. Heard Mr. B.S. Dasparida, learned counsel for the Petitioner as well as Mr. S. Nayak, learned counsel for the Republic of India.

3. It is submitted that the Petitioner is inside custody since 26.4.2019 and his earlier prayer for bail was rejected by this Court on 12.01.2021 in BLAPL No.7733 of 2019. It is further submitted that despite being custody for such a long period and charge-sheet has been submitted, the trial has not progressed yet. It is also submitted that the total amount involved in the offences is Rs.82,00,101/- out of which around Rs.52 lakhs has been refunded as per the charge-sheet submitted and no such specific allegation is there against the present Petitioner for using any specific amount to his personal benefit, though specific allegations are against other co-accused persons.

4. Mr. S. Nayak, learned counsel for Republic of India on the other hand submits that after rejection of his prayer for bail earlier, he is not entitled for bail as no change of circumstance has been brought.

5. After hearing both the parties and considering the period of long detention of the Petitioner inside custody and the fact that the trial has not commenced yet as well as the circumstances of the case that no specific amount has been alleged in the charge - sheet to have used for personal benefit of the petitioner, it is directed to release the Petitioner on bail in connection with R.C. Case No.9/S/2014 corresponding to S.P.E. Case No.4/2014 on such terms and conditions to be fixed by the learned Special C.J.M. (CBI), Bhubaneswar as he deems just and proper including the condition that the Petitioner shall furnish property security to the tune of Rs.10,00,000/- (rupees ten lakh) and that, he shall furnish two sureties out of which one shall be his relative and that, he shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the court or tamper with the evidence.

6. The BLAPL is disposed of.

7. An urgent certified copy of this order be granted on proper application.

**( B.P. Routray )**  
**Judge**