

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.5403 of 2022

Shyam Narayan Mishra

....

Petitioner

Mr. B.B.Routray
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
28.6.2022.

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 7th May, 2022 in connection with Birkampur P.S. Case No.114/2022 corresponding to G.R. Case No.1004/2022 pending in the court of learned S.D.J.M., Talcher for the alleged commission of the offence under Sections 420/407/34 of I.P.C.

4. It appears that the Petitioner was the driver of a Truck which was carrying a load of iron rods from the company namely, Saizer Enterprise Pvt. Ltd. to Wuhan Engineering Company at Talcher from Durgapur. One Tamal Biswas, an employee of Wuhan Engineering Company Ltd. convinced the Petitioner and the helper of the Truck to unload approximately 3 to 3.5 MT of iron rods en route and also sold the same. It is submitted that the Petitioner, even as per the F.I.R. was forced and pressurized by the said Tamal Biswas to unload some of the iron rods en route.

5. Considering the submissions as above, the materials on record and the period of detention of the Petitioner in custody, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall furnish cash security of Rs.30,000/-(Rupees Thirty Thousand), in the shape of short term fixed deposit in any Nationalised Bank being pledged to the Court below. He shall not leave the territorial jurisdiction of the court without obtaining leave and in case leave is granted, the Petitioner shall furnish his current address and mobile number to the Court and the I.O. and he shall appear before the trial court on each date of posting of the case, failing which it shall be open to the said court to pass necessary orders to take him to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

