

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5988 of 2022

Trilochan Dandasena

....

Petitioner

Mr. M.K.Mohanty, Advocate

- Versus -

State of Orissa

....

Opposite Party

Mr. S.K.Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

28.07.2022.

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. This is the second journey of the petitioner to this Court seeking bail after his earlier bail application being BLAPL No. 1994 of 2022 was rejected by this Court granting liberty to renew his prayer after submission of charge sheet. It is submitted that in the meantime charge sheet has been submitted on 01.06.2022.
4. The Petitioner is in custody since 04.03.2022 in connection with Kharavelnagar P.S. Case No.423 of 2022 corresponding to C.T. Case No.28 of 2022 pending in the Court of learned S.D.J.M., Bhubaneswar for the alleged commission of the offence under Sections 419/420/467/468/471 of I.P.C.
5. It is alleged that on the basis of a forged order purportedly passed on 16.10.2020 by the Claims Commission, Bhubaneswar in Civil Case No. 306 of 2020, a sum of Rs.1,16,43,003/- was disbursed in favour of one Mangasira Dharua to his bank account. In so far as the petitioner is

concerned, he is said to have received Rs.20 lakhs. It is submitted that out of the said Rs.20 lakhs, a sum of Rs.13 lakhs was transferred to co-accused-Swagat Prakash Baral and out of the remaining Rs.7 lakhs, Rs.5 lakhs was paid to co-accused-Dusmanta Patel and therefore, the financial involvement of the Petitioner is only to the tune of Rs.2 lakhs. As has already been stated hereinbefore, charge sheet has been submitted.

6. Prosecution mainly relies upon documentary evidence. The petitioner has spent more than three months in custody by now. Therefore, no useful purpose would be served by detaining him in custody further.

7. Considering the above facts, 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. Further, he shall furnish cash security of Rs.2,00,000/-(Rupees Two Lakhs) in the shape of short term fixed deposit in any Nationalized Bank being pledged to the court below. The said deposit shall be without prejudice to the rival claims.

8. The BLAPL is disposed of.

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

(Sashikanta Mishra)
Judge