

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 5376 OF 2021

Pradeep Kumar Dash

..... ***Petitioner***
Mr. S.R.Mahapatra, Adv.

-versus-

State of Odisha

..... ***Opposite Party***
Mr.B.N.Bhuyan, OPID
Mr. J.Patra, OPID

CORAM:
JUSTICE V. NARASINGH

ORDER
30.06.2022

Order No.
08.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioner and Mr. J.Patra, learned counsel (OPID) on behalf of Mr. Bibekananda Bhuyan,(OPID).
3. The Petitioner is an accused in connection with G.R. Case No.59 of 2012 arising out of Baliguda P.S. Case No. 19 of 2012 corresponding to CID P.S. Case No. 27 of 2012 pending on the file of learned Presiding Officer Designated Court under OPID Act, Berhampur for offence punishable under Sections 420/467/468/471/406/120-B of the I.P.C. read with Sections 4, 5 & 6 of PC & MCS (Banning) Act & Section 6 of the OPID Act.,
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Presiding Officer Designated Court under OPID Act, Berhampur, by order dated 22.06.2021,

the present BLAPL has been filed. The petitioner is stated to be in custody since 10.12.2014.

5. Learned counsel for the petitioner places reliance on the orders by this Court dated 15.03.2018 in BLAPL No. 6392 of 2017 and order dated 9.08.2021 in BLAPL No. 5840 of 2020 and seeks relief inter alia, on the ground that he has lesser complicity.

6. Learned counsel for the OPID opposes such prayer saying that the petitioner is one of the Directors and the company never had any authority to make collection and it is also further submitted that since trial has commenced, the release of the petitioner will affect the ongoing trial.

7. Considering the submission of the parties and taking into account the share of the petitioner as submitted by learned counsel for the petitioner which would be to the tune of less than 1% and considering the period of detention and the orders passed by this Court, hereinabove referred to, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter so as to ensure his presence on each date of trial.

8. Taking into account the condition imposed in the case of co-accused, the further condition is imposed that the petitioner shall furnish cash/property security to the tune of Rs.7,00,000/- (Rupees seven lakhs) to the satisfaction of the learned court in seisin over the matter.

9. Accordingly, the BLAPL stands disposed of.

10. The memo filed on behalf of the petitioner be kept on record.
11. Issue urgent certified copy of this order as per Rules.

(V.Narasingh)
Judge

Dhal

