

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6386 of 2022

Narahari Thanapati

....

Petitioner

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
16.12.2022

Order No.

03.

I.A. No.2211 of 2022

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. At the outset, it is noted that order No.3 has been wrongly treated as order No.1, the same be treated as order No.3.
3. This I.A. has been filed for modification of the order dated 02.11.2022.
4. It is submitted by the learned counsel for the petitioner that though the petitioner was directed to be released on bail by order dated 02.11.2022 in BLAPL No.6386 of 2022, because of the stipulation of furnishing

cash securities of Rs.2,50,000/-(Rupees two lakh fifty thousand), which he is not able to satisfy because of his penury, he is still in custody.

5. Considering the submission and that the petitioner is in custody for more than a month even after being directed to be released, in the interest of justice, this Court is persuaded to recall the stipulation in paragraph-9 relating to cash security.

6. Accordingly, the paragraph-9 of order dated 02.11.2022 stands modified.

7. Learned Court in seisin is called upon to act on production of the copy of the order dated 02.11.2022 along with the order passed in this I.A relating to recall of paragraph-9.

8. Rest of the stipulations made in the order dated 02.11.2022 remain unaltered sans paragraph-9.

9. Accordingly, the I.A. stands disposed of.

10. Urgent certified copy be granted as per rules.

(V. NARASINGH)

Judge

Ayesha