

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6573 of 2022

Laba Baghar

....

Petitioner

Mr. SK. Zafarulla, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

02.11.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in G.R. Case No.17 of 2022, pending in the file of learned J.M.F.C. Kantabanji, arising out of Kantabanji P.S. Case No.09 of 2022, for alleged commission of offence under Sections 420/34 of IPC and is in custody since 21.06.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Kantabanji by order dated 07.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Taking into account the nature of allegations, the petitioner was released on interim bail by order dated 22.09.2022 to take steps for settlement out of Court. On expiry of the interim bail period, petitioner has surrendered.

6. Learned counsel for the petitioner submits the order sheet of the learned Court in seisin dated 26.10.2022, evidencing surrender which is taken on record.

7. Learned counsel for the petitioner on instructions, submits the deed of settlement styled as Chuktinama dated 20.10.2022, in which both the petitioner-accused and the informant have signed. Learned counsel has also placed on record the deposits slip of Bank of Baroda relating to the account of the informant in which the deposit of Rs.6,50,000/- (Rupees Six Lakhs Fifty Thousands) only is stated to have been made on 19.10.2022.

8. Taking into account the bonafides of the petitioner, 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.

9. Before releasing the petitioner on bail, the learned Court in seisin over the matter is called upon to verify assertions regarding authenticity of the Chuktinama and the deposit as adverted above.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi