

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No. 158 of 2022

Umesh Chandra Padhi

....

Petitioner

M/s. P. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.09.2022

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. It is submitted that though the petitioner was directed to be released on bail by the learned Court in seisin over the matter by order dated 22.06.2022 because of non-compliance of one of the bail conditions of depositing cash security of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only). The petitioner is not been able to avail the order and is still in custody.
4. Learned counsel for the petitioner submits that relying on the judgments of this Court reported in **(2015) 62 OCR 237** and **(2018) 72 OCR 611** that the order so passed is in violation of settled position of law that the imposition of cash security as a condition of bail amounts to virtually denial of bail.
5. Considering the matter on the touchstone the judgments referred to herein above and keeping in view the submission of learned counsel for the petitioner and considering the recitals in the

CRLMA regarding the penury of the petitioner this Court, in the interest of justice modifies cash security and it is directed that in the event, the petitioner submits cash security to the tune of Rs.50,000/- (Rupees Fifty Thousand only) and property security to the tune of Rs.2 lakhs (Rupees Two Lakhs only), to the satisfaction of learned Court in seisin over the matter, he shall be released on bail.

6. Other conditions remain unaltered.
7. The CRLMA accordingly stands disposed of.
8. Urgent certified copy of this order be granted as per rules.

Santoshi



(V. NARASINGH)
Judge