

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6789 of 2022

Santosh Kumar Nayak

....

Petitioner

Mr. M.C. Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

07.09.2022

Order No.

04.

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 accused in Pipili P.S. Case No.100 of 2022 corresponding to G.R. Case No.168 of 2022, pending before the file of learned J.M.F.C., Pipili, for alleged commission of offences under Sections 409/420/467/468/471/120(B) of IPC.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Pipili, , by order dated 16.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits that since charge-sheet has already been filed, the further continuance of the petitioner in custody is punitive and seeks release on bail.
6. Learned counsel for the State submits that though charge-sheet has been filed, money trail in respect of Rs.1,95,00,000/-

(Rupees one crore ninety five lakh) is subject matter of further investigation.

7. Such assertion is disputed by the learned counsel for the petitioner.

8. This Court had occasion to peruse the charge-sheet, wherein it has been stated that the investigation has been kept open under Section 173(8) of the Cr.P.C.

9. Keeping in view the peculiar nature of the allegations. Since, the petitioner was the Branch Manager, this Court is of the considered opinion that releasing the petitioner at this stage pending further investigation, relating to trail of public funds of more than one crore would affect the ongoing further investigation, Hence, this Court is **not inclined** to entertain this application at this stage.

10. It shall be open to the petitioner to renew his prayer at a later stage.

11. Accordingly, the BLAPL stands disposed of.

Ayesha

(V. NARASINGH)
Judge