

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8789 of 2022

Alok Kumar Jena and another *Petitioners*
Mr. Laxmidhar Mohapatra, Advocate
-versus-
State of Odisha *Opposite Party*
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
14.03.2023

Order No.

I.A. No.148 of 2023

03. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This interlocutory application has been filed by the Petitioners seeking modification of the condition imposed in paragraph-5 of the order dated 01.08.2022 passed by this Court in the aforesaid bail application.
3. Heard the learned counsel for the Petitioners.
4. Considering the submission made, the order dated 01.08.2022 is modified to the extent the condition imposed in paragraph-5 to the effect that “the learned Magistrate shall also take undertaking from the Petitioners with regard to delivery of flats to the complainant, as agreed upon in the deed of agreement, within a stipulated period of time” is hereby waived. However, it is open for the court below to impose any other conditions as would be deemed fit and proper in the facts and circumstances of the case.

5. In view of the aforesaid modification, the time to surrender of the Petitioners before the court below is extended to another four weeks from today subject to deposit of a sum of Rs.1,000/- (Rupees one thousand) in the Advocates' Welfare Fund of the Orissa High Court Bar Association within fifteen days hence and furnishing money receipt thereof in proof of deposit.

6. It is made clear that, if the cost is not deposited within the stipulated time, time extended for the Petitioners to surrender shall stand revoked automatically.

7. The I.A. is disposed of accordingly.

8. Issue urgent certified copy as per rules.

(*A.K. Mohapatra*)
Judge

Debasis

