

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10359 of 2020

Bharat Behera

.... ***Petitioner***
Mr.S.J. Mohanty, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. P.K. Mohanty, ASC

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
21.03.2024**

Order No.

I.A. No.415 of 2024

- 04.
1. This matter is taken up through hybrid arrangement (virtual/physical mode).
 2. This is an application for modification of the condition imposed by this Court vide order dated 19.04.2022 passed in ABLAPL No.10359 of 2020 as to deposit of Rs. 1,50,000/- as a condition precedent for his release on bail upon his surrender before the court in seisin of the case.
 3. Learned counsel for the petitioner submits that due to paucity of funds, it has not been possible for the Petitioner to arrange Rs.1,50,000/- in order to comply with the condition and its scope in near future is also bleak. He, therefore, prays for modification of the quantum of deposit so as to enable the Petitioner to reap the benefit of the order.
 4. Learned counsel for the State submits that taking into consideration all the surrounding circumstances, this Court

having rightly imposed the said condition; further prayer for modification of the same at this stage does not merit acceptance.

5. Considering the submissions made and on going through the averments taken in the petition; this Court at present feels inclined to reduce the quantum of deposit of Rs.1,50,000/- to Rs.75,000/- (Rupees Seventy Five Thousand) with further direction for furnishing property security in respect of those situated in the district of Bargarh which is the native district of the Petitioner to the extent of Rs.75,000/- (Rupees Seventy Five Thousand).

6. It is needless to say that the court below while accepting the property security shall do well to arrive at a satisfaction that the properties so offered as security are free from encumbrances and have not been furnished as security in any other case.

In view of the order passed as above, the time period for surrender of the Petitioner is extended by four weeks from today.

All other conditions shall remain unaltered.

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

Issue urgent certified copy of this order be granted on proper application.

(D. Dash)
Judge



Signature Not Verified

Digitally Signed
Signed by: HIMANSU SEKHAR DASH
Reason: Authentication
Location: OHC
Date: 22-Mar-2024 17:46:08

