

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7414 of 2022

Aju Panda

....

Petitioner

Mr. J.R. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
09.11.2022

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 connection with G.R. Case No.2184 of 2022, pending in the file of the learned S.D.J.M., Sambalpur, arising out of Burla P.S. Case No.314 dated 01.06.2022, for alleged commission of offences under Sections 409/420 of the IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Sambalpur, by order dated 29.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 02.06.2022 and as final form has already been submitted on 27.09.2022, further continuance of the petitioner in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail relying on the order of rejection and the final form. A copy thereof is taken on record.

7. On a bare perusal of the final form, it is seen that on the basis of Audit Report, the petitioner's complicity has come to the fore and it is stated that he has misappropriated the sum of Rs.19,81,810/- (Rupees nineteen lakh eighty one thousand eight hundred ten), which was collected from different members of SHG group.

8. Taking into account the filing of the charge-sheet and the period of custody, 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. Additionally, it is directed that keeping in view the amount involved, suitable conditions may be imposed by the learned Court in seisin over the matter.

10. While releasing the petitioner on bail, the learned Court below shall verify assertion regarding the criminal antecedent of the petitioner. If it comes to the fore that the petitioner has any criminal antecedent, this order shall stand recalled without any further reference to this Court.

11. Accordingly, the BLAPL stands disposed of.

12. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha