

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6523 of 2021

Har Kumar Sahu and another ***Petitioners***
Mr. B.P. Tripathy, Advocate
-versus-
State of Odisha ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

23.03.2022

Order No.

05.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State. Perused the F.I.R., case diary and other relevant documents as well as statement of the witnesses.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The Petitioners are accused in G.R. Case No.179 of 2021 in connection with Pottangi P.S. Case No.15 of 2021 pending in the court of learned S.D.J.M., Koraput for the alleged commission of the offence under Sections 489-A/489-B/489-C/120-B of I.P.C.
5. It is alleged that the Petitioners and others were transporting huge quantity of counterfeit currency notes from Raipur to Vishakhapatnam but were detained at Sunki by the local police. It is submitted by learned counsel for the petitioners that even otherwise the counterfeit currency has never been used. It is further submitted by learned counsel for the petitioners that co-accused on similar footing

with the present petitioners has already been released on bail by this Court by order dated 16.03.2022 in BLAPL No.403 2022.

6. Learned Addl. Standing Counsel for the State, has opposed the prayer for bail by submitting that looking at the huge quantity of the currency seized, the Petitioner does not deserve any leniency.

7. Considering the submissions made, the materials on record, the period of detention already undergone and the fact that charge sheet has already been submitted in the case, I am inclined to allow the prayer for bail.

8. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the following conditions:-

- (i) The Petitioners shall furnish cash security of Rs.1,00,000/-(Rupees One Lakh) each.
- (ii) Out of two sureties for such amount as may be determined by the court below, one should belong to the district of Koraput.
- (iii) they shall appear before the Court in seisin over the matter on each date of posting of the case.
- (iv) they shall appear before the I.I.C. of Pottangi P.S. once every month for a period of six months and such fact shall be certified by the I.I.C. to the concerned Court once every month.

9. The BLAPL stands disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge