

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7592 of 2022

Amalendu Bag

....

Petitioner

Mr. A. Naik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
20.10.2022

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 G.R Case No.1609 of 2022 pending in the file of learned J.M.F.C (R)., Cuttack, arising out of Sadar P.S Case No.284 of 2022, for commission of offence under Sections 420/419/465/467/468/471/34 IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 1st Addl. Sessions Judge, Cuttack by order dated 03.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted with vehemence by the learned counsel for the Petitioner that out of total amount involved, major portion, if the entire prosecution case is accepted at its face value, has been utilized in conducting the examinations. Hence, it is submitted that

as the Petitioner is in custody since 14.07.2022 and the charge sheet having been filed, further continuance of the Petitioner in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail, inter alia, on the ground that there are clinching evidence on record to show that the Petitioner with an ulterior motive has forged the seal and signature of the Chairman of the Institution and has changed the college account to his personal account number and has also misutilized the account in the name of his wife. Hence, he is not entitled to be released on bail.

7. Considering the nature of allegation and filing of the charge sheet, 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.

8. Additionally it is directed that the Petitioner shall furnish cash security to the tune of Rs.5,00,000/- (rupees five lakhs) and property security to the tune of Rs.15,00,000/- (rupees fifteen lakhs).

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS