

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMA No. 206 of 2022

Umesh Chandra Padhi

....

Petitioner

Mr. D. Routray, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
27.09.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. It is submitted that the petitioner was directed to be released on bail by the learned Court in seisin over the matter by order dated 04.05.2022 and because of non-compliance of one of the bail conditions of depositing cash security of Rs.1,00,000/- (Rupees One Lakh only), the petitioner is not been able to avail the order and is still in custody.
4. Learned counsel for the petitioner relying on the decisions of this Court in the case of *Naga Das and Another V. State of Odisha* reported in (2015) 62 OCR 237 and *In Re V. State of Odisha* reported in (2018) 72 OCR 611 submits that the order so passed is in violation of settled position of law and that the

imposition of cash security as a condition of bail amounts and virtually denial of bail.

5. Considering the matter on the touchstone of decisions referred to herein above and keeping in view the submission of learned counsel for the petitioner and considering the recitals in the CRLMA regarding penury of the petitioner this Court, in the interest of justice modifies cash security and it is directed that in the event, the petitioner submits cash security to the tune of Rs.30,000/- (Rupees Fifty Thousand only) and property security to the tune of Rs.2 lakhs (Rupees Two Lakhs only), to the satisfaction of learned Court in seisin over the matter, he shall be released on bail.

6. Other conditions remain unaltered.

7. The CRLMA accordingly stands disposed of.

8. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge