

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7201 of 2021

Prakash Chandra Rath

....

Petitioner

Mr. Animesh Singh
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

27.7.2022.

Order No.

08.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 12th August, 2021 in connection with EOW P.S. Case No.20/2017 corresponding to C.T. Case No.4940/2017 pending in the court of learned S.D.J.M., Bhubaneswar for the alleged commission of the offence under Sections 120-B/406/409 of I.P.C.
4. The Petitioner was implicated in the case on the basis of an F.I.R. lodged by the Additional S.P., EOW on 31th October,

2017 alleging that scholarship has been disbursed to 372 ineligible/non-bonafide students fraudulently which came to light during internal audit conducted by Higher Education Department. The Petitioner was working as the Under Secretary-in-charge of the scholarship section at the relevant time. It is alleged that he had disbursed such scholarship amounts to different students who were not eligible for the same.

5. It is submitted by Mr. Animesh Singh, learned counsel for the Petitioner, that there is no allegation of misappropriation of the scholarship amount by the Petitioner. He further submits that the Petitioner has been in custody for nearly a year by now. He, being a retired Government servant is a permanent resident of Baliana P.S., Bhubaneswar in the district of Khurda.

6. Considering the submissions made, the materials on record, the period of detention in custody and the fact that charge sheet has already been filed, I am inclined to allow the prayer for bail. 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 condition that he shall personally appear before the court below on each date of posting of the case without fail.

7. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

