

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8346 of 2022

Pramod Kumar Jena

....

Petitioner

Mr. P.S. Nayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.11.2022

Order No.

05.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is an accused in connection with C.T. Case No.1608 of 2022, pending in the Court of the learned S.D.J.M., Jajpur, arising out of Jajpur P.S. Case No.251 of 2022, for commission of offences under Sections 406/417/420/34 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Jajpur, by order dated 22.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel that the petitioner is in custody since 01.08.2022 and charge-sheet has been filed on 30.09.2022, hence further continuance of the petitioner in custody is uncalled for.

6. Learned counsel for the petitioner submits that the petitioner was working for salary under the co-accused Amit @ Sunil Kumar Nayak and at his behest, the petitioner had installed swipe machines in jewellery shops and any transaction made through the swipe machine, the amount gets credited to one Srujan Infotech, which was in the name of the wife of the co-accused Amit @ Sunil Kumar Nayak.

7. It is stated on instruction that the entire amount as stated in the FIR is about Rs.24,00,000/-(Rupees twenty four lakhs), was credited to the account of that Srujan Infotech and the said amount has never been transferred to the petitioner's account.

8. Learned counsel for the State on instruction does not dispute the statement that no amount has been credited to the account of the present petitioner and that he was working as an agent under the co-accused Amit @ Sunil Kumar Nayak.

9. Taking into account the role ascribed to the petitioner and filing of charge-sheet, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha