

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 11362 of 2022

Sanjeeb Kumar Das

....

Petitioner

Mr. Sukanta Kumar Dalai, Advocate

-versus-

State of Odisha

....

Opposite Party

P.C. Das, ASC

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

20.04.2023

I.A. No.2656 of 2022

Order No.

05. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This interlocutory application has been filed by the Petitioner for modification of the order dated 16.09.2022 passed by this Court in the aforesaid bail application.
3. Heard the learned counsel for the parties.
4. It is submitted by the learned counsel for the Petitioner that this Court had allowed the Petitioner to be released on bail in the event of arrest. However, inadvertently in the order sheet, it has been typed out permitting the Petitioner to surrender before the court below and go on bail subject to verification of repayment of loan amount.

5. Considering the submission made by the learned counsel for the Petitioner that the Petitioner has already repaid the loan amount and there is no outstanding against him and the Bank has already issued No Due Certificate, this Court modifies the order dated 16.09.2022 by directing the Arresting Officer to release the Petitioner in the event of arrest subject to the condition that the Petitioner shall cooperate with the investigation as well as shall appear before the trial court on each date fixed without fail.

6. However, liberty is granted to the State-Opposite Party to move an application to recall of its order in the event it is found that the statement made on behalf of the Petitioner that the loan amount has already repaid and No Due Certificate has been issued by the Bank is an erroneous statement made before this Court.

7. The I.A. is disposed of accordingly.

(A.K. Mohapatra)
Judge

Debasis