

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8824 of 2022

A. Bighneswar Rao Dora

Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
29.09.2022

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. The Petitioner is an accused in G.R Case No.1413 of 2022 pending in the file of learned S.D.J.M., Berhampur arising out of Berhampur Sadar P.S. Case No.273 of 2022, for offence under Sections 406/420/294/506/34 IPC and is in custody since 04.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Addl. Sessions Judge, Berhampur by order dated 07.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is submitted by the learned counsel for the Petitioner that even if the entire allegation as levelled by the prosecution is taken

at face value, no criminality can be attracted to the transaction and it is primarily a civil dispute which has been given a colour of criminal case.

7. Taking into account the nature of allegation and the Petitioner is in custody since 4.7.2022, 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. Additionally it is directed that the Petitioner shall deposit cash security to the tune of Rs.50,000/- (rupees fifty thousand), which shall be kept in a short term bearing account in the name of the court and the same shall be subject to the final outcome of the case.

8. Accordingly, the BLAPL stands disposed of.

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

PKS

