

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8858 of 2022

***Raja Ardhendu Sekhar
Mohanty***

....

Petitioner

Mr. D. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
24.09.2022**

Order No.

01.

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 C.T. Case No.4339 of 2022 pending in the file of learned S.D.J.M. Bhubaneswar, arising out of Saheed Nagar P.S. Case No.328 of 2022, offence under Sections 409/34 and in custody since 20.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Bhubaneswar by order dated 07.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is the allegation that the petitioner was the manager and along with accountant has defalcated sum of Rs.17,47,443/- . which has come to the fore on verification of cash book and passbook.

6. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 20.07.2022 and as investigation has progressed substantially his further continuance in custody is not warranted.

7. Learned counsel for the State opposes the prayer for bail inter alia on the ground that releasing the petitioner at this stage will affect the ongoing investigation.

8. Taking into account the nature of allegations, substantial progress in investigation and that the accusation is more or less based on documentary evidence this Court is persuaded to hold that his further continuance in custody is not warranted in the peculiar facts in the present case.

9. Hence it is directed that the petitioner 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 submit cash security /term deposit to the tune of Rs.3,00,000/-(Rupees Three Lakhs Only) which shall be kept in short terms interest bearing account pledged to the Court and which shall be abide by the result of the outcome of the trial.

10. It is further directed that he shall appear before the I.O. till the conclusion of investigation, as and when summoned.

11. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge