

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9095 of 2022

Dipak Kumar Sahoo

....

Petitioner

Mr. P.K. Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
30.09.2022

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.53 of 2022 pending in the file of learned J.M.F.C., Sundargarh, arising out of Hemagiri P.S. Case No.180 of 2022, for offence under Sections 408/420 IPC and is in custody since 16.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge-cum-Special Judge (Vigilance), Sundargarh by order dated 29.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner, on instruction, that in earlier case i.e. Hemagiri P.S. Case No.74 dated 11.03.2022, the Petitioner has made good the loss of Rs.7,16,309/- of the company.

6. Taking into account such assertion and keeping in view that the charge sheet has been filed on 29.08.2022, 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.

7. Before releasing the Petitioner on bail, learned Court in seisin over the matter is requested to verify as to whether the assertion of the Petitioner that the amount of Rs.7,16,309/- has been paid back, which is the subject-matter of Hemgiri P.S. Case No.74 of 11.03.2022. If it comes to the fore that such assertion is not correct, this order shall stand recalled without further reference to the Court.

8. With the aforesaid order, this BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS

