

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9202 of 2022

Abhimanyu Nayak

....

Petitioner

Mr. R.C. Ray, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
02.11.2022

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 connection with G.R. Case No.1520-A of 2020 pending on the file of the learned S.D.J.M., Sadar, Cuttack arising out of Purighat P.S. Case No.272 of 2020 for alleged commission of offence under Section 420/468/471/120-B/34 IPC.
4. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned 1st Addl. Sessions Judge, Cuttack by order dated 12.09.2022, the present BLAPL has been filed.
5. Learned counsel for the Petitioner submits that the Petitioner is in custody since 26.08.2022 and as charge sheet has already been filed on 9.6.2021, which is on record, citing him as an

absconder, without any justification his further continuance in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail.

7. On perusal of the charge sheet, which is on record, it has come to the fore that the present Petitioner joined as an Assistant Branch Head in Manappuram Finance Limited, Brajrakabati Road, Cuttack in the year 2018 and in 2019, he was transferred to Choudhury Bazar Branch. During his incumbency in Choudhury Bazar Branch, he along with another co-accused Lala Ranjan Ray, who was Branch Head of Manappuram Finance Limited, Brjrakabati Road, connived in creation of fake accounts and in the process causing loss about Rs.9 lakhs. It is stated that the Petitioner was a new entrant and he was a victim of circumstance.

8. Taking into account that the charge sheet has already been filed and the Petitioner is in custody since 26.08.2022 and he is a first offender, as submitted, 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.

9. Learned Court in seisin over the matter shall verify the criminal antecedents of similar nature. If it comes to the fore that the Petitioner has such any criminal antecedent, this order shall stand recalled.

10. The BLAPL thus stands disposed of.

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

(V. NARASINGH)
Judge

PKS