

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8437 of 2021

Niranjan Rana

....

Petitioner

Mr. S.C. Mohapatra, Adv.

- Versus -

State of Odisha

....

Opp.Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.08.2022

Order No.
07.

1. This matter is taken up through hybrid mode.
2. Petitioner is permitted to correct the typographical error in the cause title.
3. As per certified copy of the order dated 09.08.2022 passed by the court below filed in Court today, the petitioner has surrendered to custody on 09.08.2022 after expiry of the period of interim bail.
4. The petitioner is in custody since 30.08.2021 having been remanded in connection with Sahidnagar P.S. Case No.292 of 2021 corresponding to C.T. Case No.4061 of 2021 pending in the Court of learned S.D.J.M., Bhubaneswar for the alleged commission of offence under Sections 465/467/468/471/420 of IPC.
5. It is alleged that the petitioner committed fraud by selling two plots to the informant who, being influenced by him, paid a sum of Rs.17,06,600/- for such transfer. Accordingly, two sale deeds were executed on 20.10.2008 and 01.08.2015. Thereafter the informant applied for mutation and obtained ROR of both the plots. Subsequently, it came to light that though the ROR

was available in the name of the informant but no physical land was available corresponding to the said plot numbers. On such allegation, the informant lodged the FIR.

6. It is submitted by Mr. S. Mohapatra, learned counsel for the petitioner that the allegations are false and baseless and in any event, the petitioner has already deposited a sum of Rs.17,06,600/- as directed by this Court in the shape of fixed deposit in the court below.

7. I have considered the submissions as also the materials on record. Charge sheet has already been submitted. The petitioner has been in custody since 30.08.2021. It would suffice to note that the petitioner by depositing a sum of Rs.17,06,600/- in the court below has proved his bonafides. I therefore, find no reason to detain the petitioner in custody any longer. The bail application is therefore allowed.

8. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial court on each date of posting of the case.

9. BLAPL is accordingly disposed of.

10. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge