

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.8812 of 2021**

***Ananta Charan Pradhan***

....

***Petitioner***

*Mr. Manas Chand, Advocate*

*-versus-*

***State of Odisha***

....

***Opposite Party***

*Mr. P.C.Das, A.S.C.*

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**13.07.2022**

**Order No.**

09

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel for the State.
3. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioner for bail in connection with EOW Bhubaneswar P.S. Case No.08 of 2021 corresponding to G.R. Case NO.101 of 2021 pending in the Court of the learned S.D.J.M., Sonepur for alleged commission of offence under Sections 420, 467, 468, 471, 406, 120-B of the Indian Penal Code and Section 66(C), 66(D) of I.T. Act.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is languishing in custody since 08.06.2021 and the Investigating Agency after completion of investigation submitted charge sheet in the present case. It is further submitted by the learned counsel for the Petitioner that the Petitioner is no way connected in

the present case and has been falsely implicated and no incriminating materials are available against the Petitioner for his implication. He also submits that the sole allegation has been made against the co-accused Rajkishore Nayak and not against the present Petitioner. It is also submitted by the learned counsel for the Petitioner that the F.I.R. story is completely different from that of the statements of the Prosecution witnesses. It is also submitted by the learned counsel for the Petitioner that since the Petitioner is a resident of Kalahandi district as per address shown in the cause title, there is no chance of absconding or fleeing from receiving justice and in the event of his release, he will appear before the trial court on each date of posting of the case and shall abide by the terms and conditions that may be imposed by this Court.

6. Learned Additional Standing Counsel vehemently opposes the prayer for bail of the Petitioner and submits to reject the bail application on the ground that huge amount of Government money have been fraudulently transferred to the petitioner account which amounts to criminal conspiracy.

7. Having heard learned counsel for the parties, considering the surrounding circumstances of the case and the period of custodial detention of the Petitioner and further considering the fact that a major portion of the defalcated amount has been recovered, I am inclined to grant bail to the Petitioner and it is directed that let the Petitioner be released on bail in the aforesaid case on furnishing cash security of Rs.1,00,000/- (Rupees one lakh) and furnishing a bail bond of Rs.02,00,000/- (Rupees Two lakhs) with two local solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter subject to the following terms and conditions:

- i) he shall not indulge himself in any similar nature of offence.

- ii) shall appear before the trial court on each and every date fixed by the trial court till conclusion of trial.
  - iii) shall not tamper with the prosecution evidence.
  - iv) shall not influence or threaten any prosecution witnesses while on bail.
  - v) he shall appear before the concerned Police Station once in a fortnight preferably on Sunday in between 10 A.M. to 1 P.M. till conclusion of trial.
  - vi) he shall appear before the E.O.W. P.S as and when required for the purpose of investigation.
  - vii) he shall inform the I.I.C. of the concerned P.S. regarding his whereabouts at least once in a week and shall surrender his transport document and an affidavit shall be filed before the court in seisin over the matter.
  - viii) he shall not leave the jurisdiction of the concerned court without prior permission of the said court.
  - ix) Violation of any of the terms and conditions shall entail cancellation of bail.
8. The trial court may impose any other condition(s) as deem fit and proper.
9. BLAPL is accordingly disposed of.
10. Issue urgent certified copy as per Rules.

RKS

**( A.K. Mohapatra )**  
**Judge**