

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9938 of 2022

Pratish Ray

....

Petitioner

Mr. S. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

27.10.2022

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 G.R. Case No.1224 of 2022, pending in the file of learned S.D.J.M., Panposh, arising out of Udit Nagar P.S. No.164 of 2022, offence under Sections 408 of IPC and is in custody since 13.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Rourkela by order dated 14.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that though the allegation in the FIR is that misappropriation is to the tune of Rs.10,14,374/-. It is stated on instruction that during audit it has come to the fore that misappropriation is to the tune of Rs.3

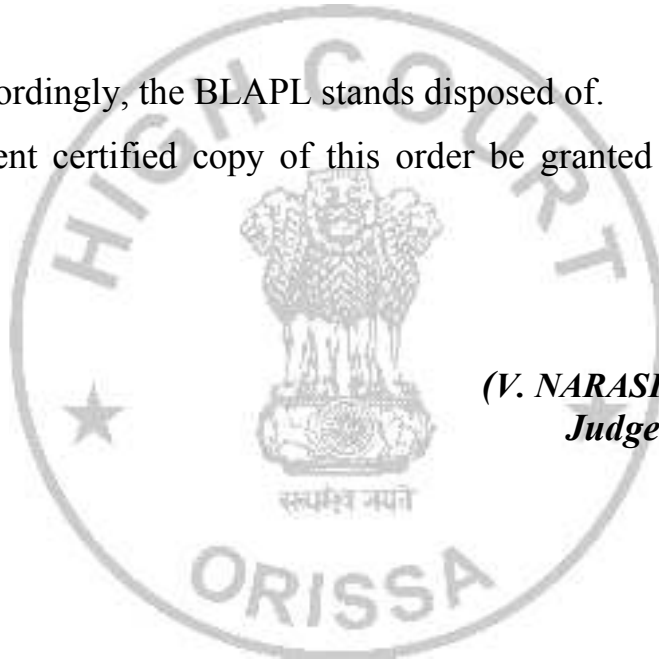
lakh and out of which it is submitted that Rs.1 lakh has already been deposited by the petitioner during the investigation.

6. Learned counsel for the petitioner seeks release on bail as the petitioner is stated to be in custody since 30.06.2022 and charge sheet has been filed on 28.08.2022.

7. The audit report fortifies the stand of the petitioner relating to the defalcation Rs.3 lakhs. Taking into account payment of Rs.1 lakh as noted, 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.

8. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Santoshi