

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9043 of 2021

Amit Kumar Agarwal @ Amit Agarwal Petitioner

Mr. Asok Mohanty, Senior Advocate

-versus-

State of Odisha and another Opposite Parties

Mr. S. Mishra, Standing Counsel CT & GST

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
06.05.2022

I.A. No.737 of 2022

Order
No.

- 02.
1. Heard Mr. Ashok Mohanty, learned Senior Advocate for the petitioner and learned Standing Counsel for CT & GST.
 2. In fact, present application is filed for modification/deletion of one of the bail conditions of order dated 11th January, 2022 which is to be effect that the petitioner shall have to seek prior permission of the court concerned before leaving its jurisdiction on the ground that it is leading to professional inconveniences. Apart from the above ground and on account of certain reasons as indicated therein, the condition in question is sought to be deleted.
 3. Mr. Mishra, learned Standing Counsel for CT & GST submits that one of the accused persons involved in the case is still at large and yet to be apprehended and in so far as the petitioner is concerned, having regard to the nature of allegations, he should not be granted any such exemption.

4. It is submitted to the Court that the petitioner is a permanent resident of the locality and therefore, he has a remote chance of abscondance in the event any such exemption granted. Mr. Mohanty, learned Senior Advocate further submits that the petitioner is a Chartered Accountant and he is required to travel even to outside and also within the State beyond the jurisdiction of the court on account of professional obligations and therefore, with such a condition in place, he would be subjected to immense difficulties and hardship.

5. Having regard to the above facts and submissions made by the learned counsel appearing for the parties, the Court is of the considered view that the condition which has been imposed by the Court should be modified to the effect that the petitioner shall not be required to take permission of the court, while leaving its jurisdiction but shall have to obtain the leave when moving out of the State and accordingly, it is ordered.

6. In the result, the I.A. stands disposed of with the condition seeking permission of the court leaving its jurisdiction being modified to the extent indicated.

7. Urgent certified copy of the above order be granted as per rules.

(R.K. Pattanaik)
Judge

TUDU