

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9592 of 2021

Imamsha Akbar

.... ***Petitioner***
Mr. A. Mishra, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. K.K. Nayak, A.S.C.
Mr. A.P. Bose, Advocate for the
informant

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

20.05.2022

Order No.

06.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned counsel for the State. Perused the F.I.R., case diary and other relevant documents on record.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The petitioner is an accused in G.R. Case No.1179 of 2021 arising out of Lalbag P.S. Case No.247 of 2021 pending in the court of learned S.D.J.M.(S), Cuttack for commission of offence punishable under Section 420, I.P.C.
5. Learned counsel for the Petitioner submits that the Petitioner is in custody since 26.09.2021 and charge-sheet in the case has already been submitted. Further, he submits that at this stage, he does

not want to press the bail application of the petitioner and prays to release the petitioner on interim bail for a period of eight weeks.

6. Learned counsel for the State while opposing the prayer for bail of the Petitioner, he further submits that in the event the Petitioner is released on interim bail, stringent terms and conditions may be imposed on the Petitioner.

7. In course of hearing, learned counsel for the petitioner on instruction undertakes to return a sum of Rs.5.00,000/-(rupees five lakhs) to the informant initially by demand draft and the balance amount shall be returned to the informant in two equal installments.

8. In such view of the matter, this Court is inclined to release the Petitioner on interim bail for a period of eight weeks. Therefore, this Court directs that let the Petitioner be released on interim bail for a period of eight weeks from the date of release in the aforesaid case by furnishing bail bond of Rs.50,000/- (rupees fifty thousand) with two local solvent sureties for the like amount to the satisfaction of the learned Court in seisin over the matter subject to condition that he shall surrender before the learned court below on completion of the interim bail positively on or before 15th July, 2022 without fail and surrender certificate be filed by the next date.

9. It is further directed that initially, the petitioner shall par a sum of Rs.5,00,000/-(rupees five lakhs) and balance amount within two months as agreed and undertaken by the petitioner failing which, this order shall stand automatically revoked and the learned court below is at liberty to issue N.B.W. against the petitioner forthwith.

10. It is open for the court in seisin over the matter to impose other conditions as may be deemed just and proper.

11. The Bail Application is accordingly disposed of.
12. List this matter on 16th of July, 2022.
13. Surrender certificate of the Petitioner be filed positively on the said date.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge

Jagabandhu

