

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10371 of 2022

Manas Sankhua

....

Petitioner

Mr. A.K. Biswal, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Patra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

19.12.2022

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is an accused in connection with C.T. Case No.854 of 2022, pending before the learned S.D.J.M., Udala, arising out of Kaptipada P.S. Case No.273 dated 21.09.2022, for alleged commission of offences under Sections 420/465/467/468/34 of IPC.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Baripada, by order dated 13.10.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted by the learned counsel that the petitioner is in custody since 22.09.2022 and it is the allegation against the petitioner that he has duped the informant to the tune of Rs.4,00,000/-(Rupees four lakhs).

5. It is borne out from the order of rejection that the petitioner had refunded an amount of Rs.90,000/-(Rupees ninety thousand) and subsequently further sum of Rs.1,00,000/-(Rupees one lakh) has been transferred to the account of the informant.
6. Memo evidencing such transfer to the informant of Rs.1,00,000/-(Rupees one lakh), is taken on record.
7. Taking into account the amount which has been paid, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.
8. Before releasing the petitioner, learned Court in seisin shall verify assertion regarding the criminal antecedents of similar nature. If it comes to the fore that the petitioner has such criminal antecedent, this order shall stand recalled.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha