

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10833 of 2022

R. Binod Kumar

....

Petitioner

Mr. J. Sahu, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

28.11.2022

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.355 of 2022, pending on the file of learned S.D.J.M., Paralakhemundi, Gajapati, arising out of Paralakhemundi P.S. Case No.145 of 2022, for commission of alleged offences under Section 419/420/468/140/34 of IPC and is in custody since 17.09.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Gajapati, Paralakhemundi by order dated 21.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted that the petitioner is in custody since 17.09.2022 and charge sheet has been filed on 30.09.2022.
6. Learned counsel for the petitioner submits that even if, the entire allegation against the petitioner luring the victims to make

payment to secure their jobs in Indian Navy is accepted at its face value, keeping in view the bank statements which is on record prima facie, only allegation against the petitioner to the tune of Rs.4 Lakh (Rupees Four Lakh) is substantiated.

7. Learned counsel for the State opposes the prayer for bail.

8. Considering the nature of allegation and taking into account the bank statement, which is on record and the undertaking given by the learned counsel for the petitioner by way of memorandum without prejudice to the rights of the petitioner, this Court directs that the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter and subject to his depositing cash security to the tune of Rs.4 Lakh (Rupees Four Lakh) only which shall be kept in short terms interest bearing account pledged to the Court which shall abide by the outcome of the trial, without prejudice to his rights.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge