

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL NO.9868 OF 2021

Asit Ranjan Sahoo

.... ***Petitioner***
Mr. M.K. Mallick, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S. Jena, ASC.

CORAM:
MR. JUSTICE D.DASH

ORDER
27.03.2023
I.A. NO.367 OF 2023

Order No.

03. 1. This matter is taken up through hybrid arrangement (virtual/physical) Mode.
2. The Petitioner, by filing this application, has prayed for modification of condition as to deposit of cash of Rs.10,00,000/- as had been imposed for his release on bail vide orders dated 19.01.2022 passed in BLAPL No.9868 of 2021 and order dated 31.10.2022 in I.A. No.1862 of 2022.
3. Learned Counsel for the Petitioner submits that despite the order of bail being passed on 19.01.2022, subsequently modified on 31.10.2022, the Petitioner being not in a position to arrange the funds for complying the condition as to deposit of cash, he has remained in custody for all the period. It is stated that the Petitioner is having no other person to shoulder the burden of the family and is getting no help from any other quarter when also having remained in custody for a long time; he has lost all his contact. He, therefore, urges for substitution of that condition as to deposit of cash by imposition of property security to that extent.

4. Learned counsel for the State submits that in the facts and circumstances of the case, the Court has rightly fixed the said condition, which has subsequently been modified and, therefore, the same needs no further modification.

5. Considering the submissions made and further keeping in view the fact that the Petitioner being not able to comply the above condition has remained in custody for further period; this Court at present, as last chance, feels inclined to reduce the quantum of imposed cash of Rs.5,00,000/- (Rupees Five Lakh) to Rs.3,00,000/- (Rupees Three Lakh). The Petitioner is also directed to furnish property security of Rs.7,00,000/- (Rupees Seven Lakh).

It is further clarified that the Court below while accepting the property offered as security would arrive at a satisfaction that the same are free from encumbrance and have not been given as security in any other case(s).

6. The I.A. is accordingly disposed of.

Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan