

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No 9968 of 2021

Raju @Rajkishore Mallick

....

Petitioner

Mr. S. Rath, Advocate

-Versus -

State of Odisha

....

Opposite Party

Mr.A. Pradhan,

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.01.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 06.10.2021 in connection with Kakatpur P.S. Case No. 237 of 2021 corresponding to G.R. Case No.957 of 2021 pending in the court of learned J.M.F.C., Nimapara for the commission of offence under Sections 417/419/420/294/506/341/323/34 of IPC.
4. The allegation is that the petitioner cheated the informant by saying that he shall pray for return of his missing son on payment of money believing which, the informant is said to have paid substantial amount to the petitioner.
5. It is submitted that the case has been falsely foisted against the petitioner and in any case, he being a permanent resident under Gop Police Station, there is no chance of his absconding and that he shall fully cooperate with the trial.

6. Learned Additional Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that there are adequate materials to show that the petitioner cheated the informant and forced him to pay a substantial amount of money which has not yet been recovered.

7. Having regard to the submissions made, the materials on the record and the period of detention already undergone as also the nature of allegations, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial court on each date of posting of the case without fail.

8. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge