

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11072 of 2022

Manas Kumar Senapati

....

Petitioner

Mr. S. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the Opposite Parties.
2. The petitioner is an accused in G.R. Case No.548 of 2022, pending in the file of learned JMFC (Rural) Rourkela, arising out of Brahamanitarang P.S. Case No.134 of 2022, for commission of alleged offences under Sections 420/409 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, Rourkela by order dated 28.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is stated that the petitioner is in custody since 14.09.2022 on the allegation that the petitioner as an agent facilitated the informant to avail a loan of Rs.4,60,000/- from Bajaj Finserv Rourkela. It is stated that as the petitioner has defaulted in making payment of the loan though he received the money from the informant, he has been arrayed as an accused.

5. On instruction, learned counsel for the State referring to the undertaking given by the petitioner submits that the amount which is outstanding vis-à-vis the petitioner is to the tune of Rs.3,60,000/- as on 08.03.2022.

6. Learned counsel for the petitioner has placed on record an affidavit of the wife of the accused indicating during the period between 03.08.2021 to 04.01.2022 an amount of Rs.72,130/- (Rupees Seventy-Two Thousand One Hundred Thirty) has been deposited in the account of the informant by way of transfer through the gate way (Phonepe).

7. Taking into account that charge sheet is filed on 25.10.2022 and the amount stated to have been paid, as reflected in the affidavit, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

8. Accordingly, the BLAPL stands disposed of

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

(V. NARASINGH)
Judge

Santoshi