

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11094 of 2022

Sushanta Behera

....

Petitioner

Mr. S.K. Joshi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
22.12.2022

Order No.

03.

1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. The Petitioner is an accused in G.R. Case No.505 of 2021 pending on the file of learned J.M.F.C., Kantabanji, arising out of Kantabanji P.S. Case No.245 of 2021, for commission of offence under Section 420 IPC.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C by the learned Addl. Sessions Judge, Kantabanji by order dated 02.11.2022 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 26.10.2022 and charge sheet has been filed on 21.11.2022 and taking into account the nature of allegation, his further continuance in custody is not warranted.

5. On instruction, learned counsel for the Petitioner states that the Petitioner has handed over cash of Rs.1,50,000/- (rupees one lakh fifty thousand) to the Informant and further volunteers to deposit a sum of Rs.1,00,000/- (rupees one lakh) at the earliest.

6. Considering the submission made at the Bar, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

7. Before releasing the Petitioner on bail, learned Court in seisin is requested to verify as to whether the amount of Rs.1,00,000/- (rupees one lakh) as undertaken has been credited into the account of the Informant or not. In the event the amount as undertaken is not deposited in the account of the Informant, this order shall stand recalled.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS