

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14797 of 2022

Satyajit Das and Others

....

Petitioners

Mr. Nihar Ranjan Mohanty, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S. Patra, ASC

Mr. Sarbeswar Sahoo, Advocate for Informant

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

20.12.2022

Order No.

02.

1. Heard learned counsel for the Petitioners and the State.

2. This is an application for bail U/s. 438 Cr.P.C. filed by the Petitioners in apprehension of arrest for their alleged involvement in the offences U/s. 420/294/323/506/34 of IPC.

3. Learned counsel for the Petitioners submits that there is no transaction and the Petitioners are ready to deposit the amount as alleged in the FIR. The Petitioner No. 1 received a sum of ₹5,00,000.00 from the Informant against the registration of the land subject to payment of the balance of ₹20,00,000.00 within 90 days but the Petitioners did not carry out the terms and conditions of the agreement. Be that as it may, learned counsel for the Petitioners

fairly submits that no such truncation has been taken place. However, they are ready to deposit the money.

4. Learned counsel for the Informant opposes the contentions raised by learned counsel for the Petitioners.

5. Keeping in view the submission of the parties, the nature of allegations as emerged from the materials on record, the circumstances appearing, the seriousness and gravity of the offences, it is directed that in the event the Petitioners surrender and move for bail in connection with Jagatpur P.S. Case No.477 of 2022 corresponding to G.R. Case No.3001 of 2022 pending in the court of learned J.M.F.C.,(R), Cuttack within a period of three weeks hence and they shall be released on such terms and conditions as would be deemed just and proper by the said court subject to cash deposit of ₹5,00,000.00 (Rupees Five Lakhs) in the manner to be directed by the court to its satisfaction with further conditions as follows:-

- (i) The Petitioners shall appear before the I.O. and cooperate with the investigation as and when required;
- (ii) they shall also appear before the trial court on each date of trial, without fail, till conclusion of the trial;
- (iii) they shall not threaten, intimidate or terrorize the Informant and his family in any manner;
- (iv) they shall not tamper with the prosecution evidence in any manner whatsoever;
- (v) they shall not indulge in any other crime of similar nature or otherwise to the present case, in any manner whatsoever, while on bail and

(vi) violation of any of the conditions shall entail cancellation of bail.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

B.K Sahoo/AKPradhan

