

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10319 of 2021

Suraj Mallick

...

Petitioner

Mr. D. Nayak, Sr. Advocate along
with Mr. B. Nayak, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. D.R. Parida,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
28.01.2022

Order No.

2.

1. This matter is taken up through virtual mode.
2. Heard learned senior counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 20.09.2021 in connection with Balasore Sadar P.S. Case No. 289 of 2021 corresponding to C.T. Case No.752 of 2021 pending in the Court of learned J.M.F.C. (R), Balasore for the alleged commission of offence under Sections 408/34 of IPC.
4. Referring to the FIR, it is submitted by learned senior counsel that there is no specific allegation against the present petitioner save and except an allegation in general terms that he had helped the principal accused, Gyanendra Das to forge the despatch letter of the company. It is further submitted that the said Gyanendra Das has in the meantime been released on bail by order of this Court passed in BLAPL No. 10414 of 2021.
5. Mr. D.R. Parida, leaned Addl. Standing Counsel has opposed the prayer for bail by submitting that there are ample

materials to show that the petitioner was also actively involved in the commission of the offence and therefore, he should not be released on bail.

6. Having regard to the submissions made, the materials on record, the period of detention already undergone and the fact that the co-accused has already been released on bail, 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 IIC, Balasore Sadar Police Station on every Monday at 10.30 a.m. till submission of final form.

7. BLAPL is accordingly disposed of.

8. As the restrictions due to resurgence of Covid-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No. 4587, dated 25th March, 2020, modified by Notice No. 4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.

(Sashikanta Mishra)
Judge