

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11394 of 2022

***Suraj Mahanandia @
Bullet*** ***Petitioner***

Mr.B.B. Routray, Advocate

-versus-

State of Odisha ***Opp.Party***

*Mr.Susamarani Sahoo
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
19.12.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 439 of Cr.P.C. in connection with Rajgangpur P.S. Case No.417 of 2022 corresponding to G.R. Case No. 742 of 2022 pending in the Court of learned J.M.F.C., Rajgangpur for offences punishable under sections 419/420/465/468/471 of the Indian Penal Code.

The petitioner moved an application for bail before the Court of Sessions Judge, Sundargarh, which was rejected on 02.11.2022.

Learned counsel for the petitioner submitted that the petitioner is in judicial custody since 30.09.2022 and in the meantime, on completion of investigation, charge sheet has been submitted and though it is stated that the accused persons by making conspiracy and by preparing forged documents and using them as genuine, cheated by way of impersonation and fraudulently took away Rs.4,80,000/- (rupees four lakhs eighty thousand) from the purchasers, namely, Noti Bajaj and Rajalaxmi Bajaj, but so far as the allegation against the present petitioner is concerned, it is stated that the informant gave him a cash of Rs.1,05,000/- (rupees one lakh and five thousand) and therefore, since the offences are triable by Magistrate, the bail application may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, the liability of the petitioner, the fact that the offences are triable by Magistrate and taking into account the period of detention of the petitioner in judicial custody, I am inclined to release the petitioner on bail.

Let the petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.50,000.00 (rupees fifty thousand) with two local solvent sureties

each for the like amount to the satisfaction of the Court in seisin over the matter with further terms and conditions as the learned Court may deem just and proper including the conditions that the petitioner shall appear before the learned trial Court on each date to which the case is posted for trial and shall not try to tamper with the prosecution evidence. Violation of any of the conditions shall entail cancellation of bail.

The BLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.



PKSahoo