

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10357 of 2021

Bayaman Panda

....

Petitioner

*Mr. Alok Kumar Panda,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. S.N. Das,
Addl. Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
20.01.2022**

**Order No.
01.**

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 04.11.2021 in connection with Aska P.S. Case No. 720 of 2021 corresponding to G.R. Case No. 1368 of 2021 pending in the court of learned J.M.F.C., Aska for the alleged commission of offence under Sections 467/468/471/420 of IPC.
4. The allegation against the petitioner is that he entered into service as a Shikhya Sahayak by falsely projecting his educational qualification as B.Ed. and the certificate produced by him was found to be fake.
5. It is submitted by learned counsel for the petitioner that

the petitioner had neither any intention nor received any benefit by utilizing such certificate and the mistake, if any, was committed by his employer as the service book was wrongly maintained showing B.Ed. instead of C.T. qualification. In any case, challenging such action of the employer, the petitioner has approached this Court by filing a writ petition, which is presently subjudice.

6. Learned Additional Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that there is clear proof that the petitioner produced a fake certificate with the intention of getting benefit therefrom in service.

7. Having regard to the submissions made, the materials on record, the period of detention already undergone, 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 trial court on each date of posting of the case without fail.

8. The BLAPL is accordingly disposed of.

9. 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

B.C. Tudu

