

IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.2350 of 2021

Pradeep Kumar Mohapatra @ ***Petitioner***
Pradip Kumar Mohapatra

Mr. Debasis Biswal, Adv.

-versus-

State of Orissa ***Opposite Party***
Mr. Karunakar Gaya, ASC

CORAM:
JUSTICE S.K. PANIGRAHI

ORDER
19.01.2022

Order No.

01. 1. This matter is taken up through Video Conferencing mode.
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. In this CRLMC, the petitioner has made a prayer to set aside the order dated 21.10.2021 passed by the learned Sessions Judge, Khurda at Bhubaneswar in Criminal Revision No.57 of 2021 imposing cash security and property security as pre-conditions for release of his seized vehicle bearing Registration No.-Nil, having its Engine No.4SPCR11EPY622464 and Chassis No.MAT505155K8E1150 in his interim custody.
4. Learned counsel for the petitioner submits that since the petitioner is unable to arrange the cash security of Rs.3,00,000/- and property security of Rs.10,00,000/- imposed by the revisional court, he has filed this CRLMC for quashing/modification of the said condition.
5. The aforesaid vehicle of the petitioner was seized in connection with Jatni P.S. Case No.243 of 2019 corresponding

to G.R. Case No.771 of 2019. The petitioner filed an application under Section 457 of the Cr.P.C. before the learned J.M.F.C., Jatni for interim release of the same in his favour. Learned J.M.F.C., Jatni vide order dated 04.06.2020 in C.M.C. No.21(A) of 2019 rejected the prayer of the Petitioner. Challenging the said order, the petitioner had approached the revision court i.e. the learned Sessions Judge, Khurda at Bhubaneswar in Criminal Revision No.57 of 2021. The learned Sessions Judge, Khurda at Bhubaneswar vide order dated 21.10.2021 allowed the revision filed by the petitioner directing interim release of the said vehicle in favour of the petitioner with certain terms and conditions including the condition that the petitioner shall furnish a cash security of Rs.3,00,000/- (rupees three lakh only) and shall furnish property security worth of Rs.10,00,000/- (rupees ten lakh only).

6. In view of such facts and submissions made, it is directed that order dated 21.10.2021 passed by the learned Sessions Judge, Khurda at Bhubaneswar in Criminal Revision No.57 of 2021 so far it relates to imposition of cash security and property security is modified to the extent that the petitioner shall furnish a cash security of Rs.1,00,000/- (rupees one lakh only) and shall furnish property security worth of Rs.2,00,000/- (rupees two lakh only). Rest of the conditions of the aforesaid order shall remain unaltered.

7. With the aforesaid modification, this CRLMC is disposed of.

8. As the restrictions due to resurgence of Covid-19 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 Advocate concerned with his/her seal, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020 and Court's Office Order dated 7th January, 2022.

(S.K. Panigrahi)
Judge

BJ

