

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO.10489 OF 2021

Rabi Narayan Mohapatra @ Sisira ***Petitioner***
Mr. G. Mishra, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr.G.N. Rout, ASC

CORAM:
MR. JUSTICE D.DASH

ORDER
04.04.2022

Order No.

I.A.NO.355 OF 2022

02. 1. This matter is taken up by video conferencing mode.
2. This is an application for modification of the condition imposed by order dated 21.01.2022 passed by this Court in BLAPL No. 10489 of 2021 while directing the Petitioner to be released on bail as regards deposit of cash of Rs.10,00,000/- (Rupees Ten Lakh).
3. Learned counsel for the Petitioner submits that despite the grant of bail by order dated 21.01.2022, the Petitioner having not been able to arrange funds and comply the condition as to deposit of cash; he has been continuing to remain in custody. He further submits that having remained in custody for quite a long period, since the Petitioner has lost all contacts, for him to immediately arrange the entire funds stands as an impossibility. In view of all the above, he urges for waiving of the condition of bail with regard to deposit of cash security.
4. Learned counsel for the State submits that in the facts and circumstances of the case, further looking at the role said to

have been played by the Petitioner; the imposition of condition of deposit of cash security is just and proper.

5. Considering the submissions made, and further keeping in view the fact that despite the grant of bail to the Petitioner, he has not been released from custody for his failure to comply the condition as to deposit vide order dated 21.01.2022; it is directed that the Petitioner would now be depositing cash of Rs.3,00,00/- (Rupees Three Lakh) and furnish property security to the tune of Rs.3,00,000/- (Rupees Three Lakh) for his release on bail. It is further clarified that the Court below while accepting the property offered as security would arrive at a satisfaction that the same are free from encumbrance and have not been given as security in any other case(s).

6. The I.A. is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan