

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11779 of 2022

***Dipak Kumar Sahoo @ Deepak
Kumar Sahoo***

Petitioner

Mr. P.K. Mishra , Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
21.12.2022**

Order No.

01.

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

2. The petitioner is an accused in connection with G.R. Case No.53 of 2022, pending in the Court of the learned J.M.F.C., Hemgiri, arising out of Hemagiri P.S. Case No.180 of 2022 for commission of alleged offences under Sections 408/420 of IPC and is in custody since 16.07.2022.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned A.D.J.-cum-PO Special Court (POCSO), Sundargarh, by order dated 22.11.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted that this Court by order dated 30.09.2022 in BLAPL No.9095 of 2022 while directing the release of the petitioner an error of record has kept into the order in as much as though the amount of Rs.7,16,309/- (Rupees Seven Lakh Sixteen Thousand Three Hundred Nine) which is subject matter of Hemgiri P.S. Case No.74 dated 11.03.2022 is the alleged amount of

misappropriation, the same has been reflected that petitioner has undertaken to pay such amount.

5. On instructions, the learned counsel for the petitioner submits that amount of Rs.6,10,400/- (Rupees Six Lakh Ten Thousand Four Hundred) has been paid in the said Hemgiri P.S. Case.

6. Taking note of the earlier order, the amount as reflected in Para-7 of the disposed of matter, learned Court below rejected the bail application. Prima facie this Court does not find any infirmity in such order.

7. Taking into account that there has been error of record in recording the amount that is involved in Hemgiri P.S. Case and the amount paid, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi