

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.10745 of 2021**

***Amit Kumar***

....

***Petitioner***

Mr. S.K.Dalai,  
Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. S.K.Mishra,  
Addl. Standing Counsel

**CORAM:**

**JUSTICE SASHIKANTA MISHRA**

**ORDER**  
**22.7.2022.**

**Order No.**

**I.A. No.1260 of 2022**

- 8.
1. This matter is taken up through hybrid mode.
  2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
  3. This I.A. has been filed seeking modification of the order dated 12th May, 2022 whereby while granting bail this Court imposed a condition that the Petitioner shall furnish cash security of Rs.3 lakhs in the shape of short-term fixed deposit being pledged to the Court and shall also pay Rs.3 lakhs by way of equal monthly installments within a year. It is

submitted that the Petitioner has furnished the required short-term fixed deposit of Rs.3 lakhs as also has paid two instalments amounting Rs.50,000/- in all.

4. The I.A. has been filed on the ground that the Petitioner had paid a sum of Rs.2,90,000/- (Rupees Two Lakhs Ninety Thousand) to the informant in the year 2018, but such fact could not be put forth before this Court owing to the Petitioner's custody. Since the Petitioner after being released has obtained the necessary documents showing such payment, the I.A. has been filed seeking modification.

5. It is submitted that the Petitioner having already paid a sum of Rs.2,90,000/- (Rupees Two Lakhs Ninety Thousand) to the informant in the year 2018 and further having paid Rs.3,50,000/- as per order of this Court, he should be exempted from making any further payment.

6. Learned Addl. Standing Counsel for the State has fairly submitted that considering the ground on which the prayer for modification is made, the Court may pass appropriate orders.

7. Considering the submissions as above, prayer for modification is allowed. The condition to pay Rs.3 lakhs by way of equal monthly instalments within a year is hereby waived. However, the amount already paid shall be kept in fixed deposit as directed earlier.

8. The I.A. is, accordingly, disposed of.

9. Urgent certified copy of this order be granted on poorer application.

*AKB*

***(Sashikanta Mishra)***  
***Judge***

