

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 12742 of 2022

Harekrushna Mohanty

....

Petitioner

*Mr. Bijaya Kumar Ragada,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. S.K. Mishra,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

23.12.2022

Order No.

1.

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. The petitioner is in custody since 30.09.2022 in connection with Chandrasekharpur P.S. Case No. 365 of 2022 corresponding to C.T. Case No. 5954 of 2022 pending in the Court of learned S.D.J.M., Bhubaneswar for the alleged commission of offence under Sections 420/406/506 of IPC
4. It is alleged that the petitioner took a sum of Rs. 33 lakhs from the informant on the pretext of sailing a land but did not hand over the land. Subsequently, returned Rs.5 lakhs. It is submitted that the total amount received by the petitioner is Rs.21 lakhs and not Rs.33 lakhs as alleged. Out of which a sum of Rs.5 lakhs has already been paid. The petitioner is ready and willing to pay the balance amount of Rs.16 lakh.

5. Having regard to the submissions as above and the fact that no serious criminality appears to be involved in the alleged occurrence, I am inclined to take a lenient view by directing release of the petitioner on such terms and conditions as the court in sesin over the matter may deem fit and proper to impose including the condition that he shall deposit a sum of Rs.10 lakhs in the shape of short term fixed deposit in any Nationalized bank being pledged to the Court. Such deposit shall be without prejudiced to the rival claims.
6. The BLAPL is accordingly disposed of.
7. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

