IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.4505 of 2024

Budhia Mandal .... **Petitioner**

Mr. Ashok Kumar Sarangi
Advocate

-versus-

State of Odisha .... **Opp. Party**
Mr.S.J.Mohanty, ASC

CORAM:

JUSTICE SIBO SANKAR MISHRA

Order No.	**ORDER** **19.12.2024**
02.	**1.** The petitioner's application under Section 457 of the Cr. P.C. for release of the vehicle namely Maruti Desire VXI bearing Registration No. OD-33-AE-3439 has been allowed and directed to be released, however, with condition that, he shall furnish the Indemnity Bond of Rs.5 lakhs and also furnish the Bank Guarantee of Rs.50,000/. The petitioner is aggrieved by the condition imposed by the Court below while releasing his vehicle.

2. Learned counsel for the petitioner submits that the petitioner is a taxi driver and he is unable to arrange Rs.50,000/- to furnish the Bank Guarantee. Therefore, the vehicle has been lying in the police custody since 14.05.2023.

3. The petitioner is not an accused in the N.D.P.S. case, wherein the subject vehicle has been entangled. He submits that a lenient view should have been adopted keeping the financial stress in mind. I am inclined to modify the order to the extent that the petitioner shall execute the Indemnity Bond of Rs.6 lakhs and on the basis of the said Indemnity Bond, the subject vehicle may be released dispensing furnishing the Bank Guarantee.

4. The CRLMC is allowed.

(S.S. Mishra)
Judge

Subhasis

Signature Not Verified
Digitally Signed
Signed by: SUBHASIS MOHANTY
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 19-Dec-2024 21:01:27