

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12690 of 2022

Silu @ Ashutosh Kar* *Petitioner

Mr. A. Tripathy, Advocate

-versus-

State of Odisha* *Opp. Party

Mr. Saswat Das

Addl. Government Advocate

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
23.12.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

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

This is an application under section 439 of Cr.P.C. in connection with G.R. Case No.827 of 2022 arising out of Nayagarh P.S. Case No.196 of 2022 pending in the Court of learned S.D.J.M., Nayagarh for offences punishable under sections 419/420/468/120-B/34 of the Indian Penal Code and section 66 of the Information Technology Act.

The prayer for bail of the petitioner was rejected by the learned Additional Sessions Judge, Nayagarh vide

order dated 15.12.2022.

Considering the submission made by the learned counsel for the petitioner that the petitioner is in judicial custody since 25.11.2022 and the offences are triable by Magistrate and the cheating amount involved in the case is Rs.45,000/- (rupees forty five thousand) out of which Rs.6,000/- (rupees six thousand) has already been recovered from the petitioner and on hearing the learned counsel for the State, I am inclined to release the petitioner on bail.

Let the petitioner be released on bail in the aforesaid case on furnishing cash security of Rs.39,000/- (rupees thirty nine thousand) and bail bond of Rs.50,000/- (rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further conditions as the learned Court may deem just and proper with further conditions that the petitioner shall appear before the learned trial Court on each date when the case would be posted for trial and shall not indulge in any criminal activities in any manner and shall not try to tamper with the evidence.

The aforesaid amount of cash security shall be kept in any Nationalized Bank in a short-term fixed deposit scheme, which shall be renewed from time to time till the conclusion of trial and its disbursement shall be subject to the judgment of the learned trial Court.

Violation of any terms and conditions shall entail cancellation of bail.

Accordingly, the BLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

RKM

