

(2022) 01 OHC CK 0155
In the Orissa High Court
Case No : Bail Application No. 4610 Of 2021

Manoj Kumar Sahu

APPELLANT

Vs

State Of Orissa

RESPONDENT

Date of Decision : 24-01-2022

Acts Referred:

Code of Criminal Procedure, 1973 — Section 439
Indian Penal Code, 1860 — Section 34, 397, 420
Information Technology Act, 2000 — Section 66(C), 66(D)

Citation : (2022) 01 OHC CK 0155

Hon'ble Judges : B. P. Routray, J

Bench : Single Bench

Advocate : S.S. Ray (2), Abhinandan Pradhan,

Final Decision : Disposed Of

Judgement

B. P. Routray, J

1. The matter is taken up through video conferencing mode.
2. Heard Mr. S.S. Ray (2), learned counsel for the Petitioner and Mr. A. Pradhan, learned Additional Standing Counsel.
3. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner Manoj Kumar Sahu in connection with Berhampur Town P.S. Case No.145 of 2020 corresponding to G.R. Case No.1288 of 2020 pending in the court of learned S.D.J.M., Berhampur for alleged commission of offence under Sections 379/420/34 of the Indian Penal Code read with Section 66(C)/66(D) of I.T. Act on the allegation of taking away Rs.36,000/- by replacing the ATM card of the complainant.
4. It is submitted that the Petitioner is inside custody since 26th August, 2020 and in the meantime investigation has been completed.

5. Upon hearing Mr. Pradhan, learned Additional Standing Counsel and considering the period of detention of the Petitioner inside custody as well as the nature of allegation, it is directed to release the Petitioner on bail in the aforesaid case on such terms and conditions to be fixed by the learned court in seisin over the matter including the condition that, the Petitioner shall not be involved in any other offence while on bail and shall appear before the I.I.C., Berhampur Town P.S. once in each week till completion of trial.
6. It is made clear that violation of any such conditions fixed by this Court or by the Court below shall entail cancellation of bail.
7. The BLAPL is accordingly disposed of.
8. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, in the manner prescribed vide Court's Notice No.514 dated 7th January, 2022.

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