
(2021) 11 OHC CK 0034
In the Orissa High Court
Case No : Bail Application No. 8191 Of 2021

Ramesh Chandra Sahoo

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 03-11-2021

Acts Referred:

Indian Penal Code, 1860 — Section 294, 406, 420, 506

Citation : (2021) 11 OHC CK 0034

Hon'ble Judges : S.K. Panigrahi, J

Bench : Single Bench

Advocate : S.C. Mohapatra, L. Samantaray

Final Decision : Disposed Of

Judgement

S.K. Panigrahi, J

1. This matter is taken up through hybrid mode.
2. Heard Mr. S.C. Mohapatra, learned counsel for the Petitioner and Mr. L. Samantaray, learned Additional Government Advocate for the State.
3. The Petitioner being in custody in Lanjigarh P.S. Case No.64 of 2021 corresponding to C.T. Case No.918 of 2021, pending in the court of the learned S.D.J.M., Bhawanipatna, registered for the alleged commission of offences under Sections 420/ 406/ 294/ 506 of the I.P.C., has filed this petition for his release on bail.
4. Allegation of the prosecution is that the Petitioner who is working as the Principal of Maa Haraneela Degree College, Biswanathpur, Kalahandi came to the house of the informant and allured him for applying for an orderly post in the College. It is further alleged that the Petitioner asked the informant to pay a sum of Rs.2,50,000/- for the purpose. It is also alleged that the informant sold his land and arranged the said amount and paid to the Petitioner in his house. Thereafter, the Petitioner furnished an appointment letter and assured the

Petitioner that if he does not get the job, he will return the money to him. It is further alleged that he did not get the salary till 2016. When he requested the Petitioner to pay back the money, the Petitioner abused him in filthy languages and threatened to kill him.

5. Learned counsel for the Petitioner submits that the Petitioner has been falsely entangled in this case. He further submits that charge-sheet in this case has already been submitted. The Petitioner is in custody since 26.08.2021. The trial has not yet been commenced nor there is likelihood of completion of trial in near future.

6. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioner.

7. Considering the facts and submissions made and on going through the materials available on record, further keeping in view the surrounding circumstances including the period of detention of the Petitioner in custody without trial being commenced and there is a bleak chance of completion of trial in near future, it is directed that the Petitioner be released on bail with such terms and conditions as deemed just and proper by the court in seisin over the matter with further conditions that:-

- i. the petitioner shall deposit a sum of Rs.2,50,000/- received from the informant before the trial court which shall be kept in an interest bearing account and the said amount shall be disbursed to the Petitioner, if he success in the trial;
- ii. he shall not indulge in similar activities in future; and
- iii. he shall not tamper the evidence of the prosecution witnesses in any manner.

Violation of any of the conditions shall entail cancellation of the bail.

8. Accordingly, the BLAPL is disposed of.

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

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