



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2043 of 2025

Partha Sarathi Mohanty

....

Petitioner

Mr. S.K. Jena, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. T.K. Acharya, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

26.03.2025

Order No.

01.

1. Heard Mr. Jena, learned counsel for the petitioner and Mr. Acharya, learned ASC for the State.

2. Instant petition under Section 483 BNSS is filed seeking release of the petitioner on bail in connection with G.R. Case No.1891 of 2024 pending in the file of learned S.D.J.M., Keonjhar corresponding to Keonjhar Town P.S. Case No.604 of 2024 on the grounds stated therein.

3. Gone through the contents of the F.I.R. as at Annexure-2. A copy of the Marriage Certificate i.e. Annexure-1 is referred to by claiming the petitioner to be the husband of the informant. It is claimed that the allegation about the petitioner having received Rs.10,42,000/- is incorrect. It is further claimed that the informant transferred an amount of Rs.50,000/- once and thereafter, Rs.70,000/- and in total, Rs.1, 20,000/- and not the amount, which is claimed by her. Mr. Acharya, learned ASC for the State submits a copy of settlement held at the P.S. with the claim that the petitioner agreed to pay back the amount received from the informant.



Considering the above facts and since it is claimed that there was a relationship between the two and during such relationship, the informant victim was made to part with the money for the amount, which is in dispute and the fact that the investigation is in progress, the Court is of the view that the petitioner should be allowed to go on bail, however, with stringent conditions.

4. Accordingly, it is ordered.

5. In the result, the petition under Section 483 BNSS stands allowed. Consequently, the petitioner is directed to be released on bail in connection with G.R. Case No.1891 of 2024 arising out of Keonjhar Town P.S. Case No.604 of 2024 subject to him furnishing a bail bond of Rs.50,000/- (rupees fifty thousand) with one solvent surety for the like amount to the satisfaction of the learned S.D.J.M., Keonjhar, who shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, he shall refund an amount of Rs.70,000/- in the shape of the Demand Draft to be received by the informant victim at the time of his release and to furnish an undertaking before the learned Court below to pay back the rest in installments. It is made clear that such payment of the amount as has been directed in favour of the informant victim is not to affect the rights and defence of the petitioner at the time of trial.

6. The BLAPL is disposed of.

7. Urgent certified copy of this order be granted as per rules.

Signature Not Verified

Digitally Signed
Signed by: BALARAM BEHERA
Designation: Personal Assistant
Reason: Authentication
Location: OHC, CUTTACK
Date: 27-Mar-2025 11:46:33



(R.K. Pattanaik)
Judge