



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 2515 of 2026

Mrutyunjay Das

....

Petitioner

Mr. S.U. Lalit, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. C.R. Swain, AGA

Mr. S.A. Swain, Adv.(Informant)

CORAM: JUSTICE V. NARASINGH

ORDER

05.05.2026

Order No.

- 03.** 1. Heard learned counsel for the Petitioner, learned counsel for the State and learned counsel for the Informant.
2. The Petitioner is an accused in connection with C.T. Case No.2552 of 2025, pending on the file of learned SDJM, Bhubaneswar, arising out of **Cyber Crime & Economic Offences, UPD Bhubaneswar P.S. Case No.242 of 2025**, for commission of alleged offences under Sections 318(2)/ 318(4)/ 319(2)/ 336(2)/ 336(3)/ 338/ 340(2) of the BNS r/w Section 66(D) of the IT Act.
3. Learned counsel, on instruction, submits that except the present BLAPL, no other bail application of the Petitioner relating to the aforementioned P.S. case is pending in any other Court.



4. Being aggrieved by the rejection of his application for bail U/s.483 of BNSS by the learned Sessions Judge, Khurda, Bhubaneswar, by order dated 05.02.2026 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by the learned counsel for the Petitioner that essentially alleged violation in terms of a contractual agreement is being given the colour of criminality and the FIR has been instituted in which the Petitioner has been taken to custody on 11.01.2026.

6. Learned counsel for the Petitioner submits that the allegation is in essence against the company M/s Black Short India Limited of which the Petitioner is the Zonal Sales Manager. As such admittedly he is not at the helm of the affairs and he cannot be made liable for the alleged lapses by the company and therefore no mens rea can be attributed to him. And, the allegations qua the Petitioner of duping the Informant to make the investment ought to be considered in such backdrop.

7. Learned counsel for the State as well as Informant oppose the prayer for bail.

8. Learned counsel for the Informant referring to the balance sheet of the company submits that from the inception the company wanted to induce the investors like the informant and since the mens rea



was telltale from its inception, initiation of pre-litigation mediation and other steps taken by the Informant which were well within his rights cannot in any way dilute the nature of offence committed by the Petitioner. It is also submitted that the Petitioner is the face of the company in Odisha, no leniency ought to be shown.

9. Learned counsel for the State submits that preliminary charge sheet has been filed keeping the investigation open and it is also brought to the notice of this Court that the Petitioner is cited as an accused in Basta P.S. Case No.251 of 2020 under Sections 147/148/149/294/323/341/379/506 of IPC and both the learned counsel for the Informant as well as State submit that another case has been instituted in Bharatpur P.S.. Hence, the application does not merit consideration.

10. The Apex Court in the case of **Satender Kumar Antil vrs. Central Bureau of Investigation and another** reported in **(2022) 10 SCC 51** has clearly stated that the Economic Offences have to be dealt on a different plane and while doing so the Apex Court has also made a distinction between the Economic Offences which affect the society at large and the Economic Offences otherwise.

11. In the given facts of the present case, this Court is not persuaded to hold that the ramifications



affect the society at a large rather prima facie it's a contractual dispute inter se between two companies and the Petitioner is an employee of the accused company.

12. Considering the rival submissions, in the light of the judgment of the Apex Court reiterating time and again that the criminal adjudicating system ought not to be used as an arm twisting tactics, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

13. It is needless to state here that the observations made herein are only for the purpose of consideration of bail and ought not to be understood as this Court expressing any opinion regarding the complicity of the Petitioner and the same has to be adjudicated independently in the impending trial.

14. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha

Signature Not Verified

Digitally Signed
Signed by: AYESHA ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 06-May-2026 19:37:47

