



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8505 of 2024

Tupakula Jagadish Rao

..... *Petitioners*

*Mr. D.P. Nanda, Sr. Adv.
along with associate*

-Versus-

State of Odisha

..... *Opposite Party*

Mr. M.K. Mohanty, AGA

CORAM:

DR. JUSTICE S.K. PANIGRAHI

ORDER

17.12.2024

Order No.

01.

F.I.R No.	Dated	Police Station	Case No. and Courts' Name	Sections
136	27.12.2022	Malkangiri	G.R. Case No.171 of 2024 pending in the Court of learned S.D.J.M., Malkangiri	U/s. 420, 409,467,468,471,506, and 120-B of IPC

1. This matter is taken up through a hybrid arrangement.

Signature Not Verified The petitioner, who is in custody in connection with

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Location: OHC
Date: 17-Dec-2024 18:41:07



Malkangiri P.S. Case No. 136 of 2024, corresponding to

G.R. Case No. 171 of 2024, pending before the learned



S.D.J.M., Malkangiri, and registered for the alleged commission of offences under Section 420, 409, 467, 468, 471, 506, and 120-B of IPC, has filed this petition seeking release on bail.

3. It has been alleged in the FIR that after internal verification, discrepancies were found in the actual weight of gold as compared to the weight of gold loan packets, for which loan was sanctioned. After further inquiry, it was found that Gourav Haidar, the present petitioner, K. Bala Achary, Prativa Jena, Soumya Ranjan Das and Jaya Ram Das were involved in gold loan fraud of about seven loan accounts of the borrower at Malkangiri Branch from March 2022 to May, 2022.
4. Learned counsel for the Petitioner submits that the charge has been filed on 03.06.2024 and the Petitioner has already spent 9 months in the custody. Hence, he submits that the Petitioner may be enlarged on bail.
5. Learned counsel for the State vehemently opposes the bail prayer of the Petitioner.
6. Without delving into the intricacies of the case or the merits of the allegations, and in light of the facts and circumstances at hand, this Court is of the view that the Petitioner should be granted bail by the learned court in

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seisin over the matter, subject to stringent terms and conditions. The conditions are as follows:-

- i. The Petitioner shall submit his passport, if any, before the local Police Station;
- ii. The Petitioner shall appear before the local Police Station on every Monday in between 10 A.M. to 1.00 P.M.
- iii. The Petitioner shall not indulge himself in any criminal offence while on bail;
- iii. The Petitioner shall not tamper with the evidence or intimidate the prosecution witnesses in any manner; and
- iv. The Petitioner shall plant 200 saplings of local varieties, such as mango, neem, tamarind, etc., around his village on government land, community land, or private land in the possession of the petitioner or his family members. In the event that suitable land is unavailable, the Revenue Authority shall assist in identifying land for the plantation.

Violation of any of the above conditions shall lead to the cancellation of the bail.

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7. The I.I.C. of the concerned police station, in coordination with the local Forest Officer, shall monitor whether the petitioner has planted the saplings as required.
8. It is further directed that the Petitioner shall file an affidavit before the local police station, confirming that the saplings have been planted and that the petitioner will maintain them for a period of two years.
9. The District Nursery/District Forest Officer (D.F.O.) shall extend assistance to the Petitioner by supplying the necessary saplings.
10. The BLAPL is accordingly disposed of.

(*Dr. S.K. Panigrahi*)
Judge

Murmu

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