IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12452 of 2025

Anil Kumar Mishra … ***Petitioner***

Mr. B.K. Ragada, Advocate along with
Mr. T.D.K. Dora, Advocate

-versus-

State of Orissa … ***Opposite Party***

Mr. C. Mohanty, Addl. PP
Mr. P.K. Mahapatra, Advocate (Informant)

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL):23.03.2026

Order No. 03.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Berhampur Cyber PS Case No.57 of 2025 corresponding to GR Case No.2006 of 2025 pending in the file of learned SDJM, Berhampur, for commission of offences punishable U/Ss.318(4)/319(2)/336(2)/336(3)/340(2)/351(2)/338 of BNS r/w Sections 66(C)/66(D) of IT Act, on the main allegation of cheating and misappropriating Rs.9,71,55,073/- by forging documents and transferring amounts at the instance of the petitioner.

3. In the course of hearing, Mr. Bijaya Kumar Ragada, learned counsel appearing along with Mr. T. Dhiren Kumar Dora, learned counsel for the petitioner submits that even if the allegations are taken into consideration, the petitioner having taken a sum of Rs.2,39,60,000/- from the informant, but paying him Rs.3,05,10,009/- itself indicates that the petitioner has

never cheated the informant for any amount and so far the allegation of transferring money to different accounts at the instance of the petitioner, the investigating agency has not produced any reasonable material to connect the petitioner with transfer of money to different accounts as alleged and, therefore, the petitioner may kindly be granted bail.

3.1. On the other hand, Mr. Prafulla Kumar Mahapatra, learned counsel for the informant by drawing the attention of the Court to the FIR, submits that not only the petitioner has taken money in his own account, but also asked the informant to transfer money to different accounts of the petitioner, his friends and relatives and, thereby, the petitioner having defrauded the informant for a sum of more than Rs.9 Crores and he having already paid only Rs.3 Crores, the bail application of the petitioner may kindly be rejected.

3.2. Echoing the submission as advanced for the informant, Mr. C. Mohanty, learned Additional Public Prosecutor, however, strongly prays to reject the bail application of the petitioner.

4. After having considered the rival submissions upon perusal of record, there appears allegation against the petitioner for defrauding the informant by way of transfer of money to different accounts including the accounts of the petitioner and not refunding the money and it is, accordingly, alleged that the petitioner has persuaded the informant to transfer a sum of Rupees 9

Crores to him, his relatives and friends, but the same has not yet been returned. Besides, the materials on record disclose allegation against the petitioner for asking the informant to transfer money to different accounts and the whole amount as alleged against the petitioner is for a sum of Rs.9,71,55,073/-, out of which it has been claimed by the petitioner to have refunded Rs.3,05,00,000/- and some odd amounts to the informant. In the aforesaid facts and situation and taking into account the nature and gravity of the offences as alleged against the petitioner vis-à-vis the allegation sought to be brought against him and regard being had to the materials placed on record and keeping in view the alleged financial fraud involving Crores of rupees, this Court is not inclined to grant bail to the petitioner.

5. Hence, the bail application of the petitioner stands rejected. Accordingly, the BLAPL stands disposed of. A copy of this order be immediately transmitted to the learned Court in seisin over the matter.

(G. Satapathy)
Judge

Subhasmita