

ITEM NO.26

Court 5 (Video Conferencing)

SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s).4705/2021

(Arising out of impugned final judgment and order dated 25-03-2021 in BLAPL No.8876/2019 passed by the High Court Of Orissa At Cuttack)

MITHUN CHATTERJEE

Petitioner(s)

VERSUS

STATE OF ODISHA

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 12-11-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s) Mr. Ashok Kumar Panigrahi, Adv.
Mr. Gautam Laha, Adv.
Mr. Sanjeev Kumar, AOR

For Respondent(s) Mr. Suwendu Suvasis Dash, AOR

UPON hearing the counsel the Court made the following
O R D E R

The petitioner is accused in a criminal case for committing offence under Sections 467, 468, 471, 420 and 120B of the Indian Penal Code and Sections 4, 5 and 6 of the Prize Chits and Money Circulation Scheme (Banning) Act. An application filed by him for bail which was allowed by the High Court vide order dated 25.03.2021 subject to the petitioner depositing cash of Rs.20 lakhs and providing security of immovable property to the tune of Rs.20 lakhs.

The petitioner has filed this special leave petition aggrieved by the condition imposed by the High Court for grant of bail.

We are of the considered view that imposition of onerous conditions for grant of bail tantamount to denial of bail. Therefore, we set aside the order of the High Court relating to the condition imposed by the High Court directing the petitioner to provide cash security of Rs.20 lakhs and to furnish security of immovable property for Rs.20 lakhs.

The special leave petition is, accordingly, disposed of.

Pending application(s), if any, shall stand disposed of.

(Arjun Bisht)
Court Master

(Anand Prakash)
Court Master