

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE NINTH DAY OF MARCH TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 1650 OF 2021

Between:

Rudra Shankar Mahopatra, S/o Dibyasinha Mahoptra,

Petitioner

AND

The State of Telangana, P.S. CCS, D.D. Hyderabad Rep. by its Public Prosecutor,
High Court of Telangana.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioner on bail in the event of his arrest in Cr. No. 31 of 2020 of P.S. CCS, D.D. pending investigation and trail:

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI ENUGANTI SUDHANSHU RAO Advocate for the Petitioner and ASSISTANT PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1650 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner seeking to grant anticipatory bail on mere apprehension of his arrest in Cr.No.31 of 2020 on the file of Central Crime Station, DD, Hyderabad, registered for the offences punishable under Sections 420, 406, 465, 468, 471 read with Section 34 IPC.

2. Heard learned counsel for the petitioner, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner would submit that the petitioner is not made as accused in the present case, however, he is apprehending arrest on the ground that he being the Bank Manager of the Branch at the relevant point of time had sanctioned loan to A1 and A2, who have cheated the Bank causing loss of Rs.200.00 lakhs. He further submits that the petitioner has sanctioned loan basing on the report submitted by the panel Advocates as well as valuation report and except this, there is no allegation leveled against the petitioner. He further submits that on receipt of notice, he appeared before the Investigating Officer in order to cooperate with the investigation. He further submits that there is absolutely no material against the petitioner that he has colluded with the accused. He also submits that the petitioner is a Government servant and he is neither going to abscond nor tamper with the evidence of prosecution witnesses and he is ready to abide by any condition that may be imposed by this Court in the event of his enlargement on anticipatory bail.

4. Learned Assistant Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioner and submits that the petitioner is involved in similar cases.

5. Having regard to the facts and circumstances and looking into the nature of allegations leveled against the petitioner, without adverting to the merits of the matter, I am inclined to grant anticipatory bail to the petitioner.

6. The Criminal Petition is accordingly allowed and the petitioner is granted anticipatory bail subject to the following terms and conditions:

(i) The petitioner is directed to surrender before the Station House Officer, Central Crime Station, Hyderabad, within a period of 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioner on bail on his executing a personal bond to the tune of Rs.25,000/- (Rupees twenty five thousand only) with two sureties, out of which one surety shall be from his native place and another surety shall be from the place where he is presently working, for the like sum each to his satisfaction.

(ii) On such release, the petitioner shall appear before the Investigating Officer on every Saturday between 10.00 AM and 2.00 PM till completion of investigation or filing of the charge sheet, whichever is earlier.

(iii) the petitioner shall furnish his email ID, cell number as well as his present place of occupation before the Investigating Officer.

(iii) the petitioner shall cooperate with the investigation and he shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

7. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

SD/- K. AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The IV Addl. Metropolitan Sessions Judge, Hyderabad.
2. The XII Addl. Chief Metropolitan Magistrate, Nampally, Hyderabad.
3. The Station House Officer, Police Station Central Crime Station, D.D., Hyderabad.
4. One CC to SRI. ENUGANTI SUDHANSHU RAO Advocate [OPUC]
5. Two CCs to the PUBLIC PROSECUTOR, High Court for the State of Telangana, Hyderabad (OUT)
6. One spare copy

HIGH COURT

GSDJ

DATED: 09.03.2021

ORDER

CRLP. NO: 1650 of 2021

CRIMINAL PETITION IS ALLOWED

