

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.863 of 2022

Dambarudhar Jani* *Petitioner

Mr. R.N. Singh, Advocate

-versus-

State of Odisha* *Opp. Party

Mrs. Susamarani Sahoo

Addl. Standing Counsel

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
03.02.2022**

Order No.

01. This matter is taken up through video conferencing mode.

Heard the learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Dasamanthpur P.S. Case No.110 of 2021 corresponding to G.R. Case No. 110 of 2021 pending in the Court of learned J.M.F.C., Dasamanthpur, Koraput for the commission of the alleged offences punishable under section 420/34 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

It is a case where accusation has been leveled that the petitioner has cheated a sum of Rs.2,28,000/- (rupees two lakhs twenty eight thousand).

Learned counsel for the petitioner submitted that the petitioner is ready and willing to deposit the said amount in the Court and since the offence is triable by Magistrate, the anticipatory bail application may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner and the fact that the offences are triable by Magistrate and on hearing the learned counsel for the State, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall deposit a sum of Rs.2,28,000/- (rupees two lakhs twenty eight thousand) before the concerned Magistrate on or before 14th February 2022 and he shall make himself available for interrogation by the I.O. as and when

required and he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing any facts to the Courts or to the Investigating Officer. Violation of any of the conditions shall entail cancellation of bail.

In case the petitioner fails to deposit the aforesaid amount within the time stipulated, the learned Magistrate shall issue non-bailable warrant of arrest against the petitioner.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide office order dated 7th January 2022.

Copy of the order be communicated to the learned J.M.F.C., Dasamantapur, Koraput.

(S.K. Sahoo)
Judge

PKSahoo