

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1576 of 2022

Somesh Choudhary

....

Petitioner

Mr. A.K. Acharya, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr.A.K. Beura,
Addl. Standing Counsel*

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

**ORDER
04.05.2022**

Order No.

03.

This matter is taken up through Hybrid arrangement (video conferencing/physical 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 Markatnagar P.S. Case No. 96 of 2019 corresponding to G.R. Case No.1126 of 2019 pending in the Court of learned S.D.J.M. (Sadar), Cuttack for the commission of the alleged offences punishable under section 420, 34 of the Indian Penal Code.

Learned counsel for the State has produced the written instruction dated 05.04.2022 received from the Investigating Officer which indicates that the petitioner Somesh Choudhury did not turn up at police station for recording his statement

rather he and his advocate are trying to mislead him in investigation of the case by calling from different influential persons. The instruction obtained by the learned counsel for the State is taken on record.

In view of the instruction received from the Investigating Officer and since the petitioner has flouted the terms and conditions of the order dated 21.04.2022, I am not inclined to release the petitioner on anticipatory bail.

Accordingly, the ABLAPL stands dismissed.

The interim order dated 21.04.2022 stands vacated.

