

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1814 of 2021

Hemanta Kumar Rout @ Petitioner
Hemanta Rout

Mr.L.Mahapatra, Advocate

-versus-

State of Odisha Opp. Party

*Mr. J.P. Patra,
Addl. Standing Counsel
Mr. P.R. Mishra, Advocate for
the informant*

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

**ORDER
09.03.2022**

Order No.

05. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

None appears on behalf of the informant.

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

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Nandankanan P.S. Case No.16 of 2020 corresponding to G.R. Case No.154 of 2020 pending in the Court of learned J.M.F.C.(O), Bhubaneswar for alleged commission of offences under sections 420/468/470/294/323/324/354/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State has produced instruction received from the Inspector in-charge of Nandankanan police station from which it appears that with an intention to cheat the complainant Smt. Mina Sahoo, the petitioner submitted a forged true copy of the R.O.R. where the Plot no.50 is cunningly written as 51. It is further mentioned that in Khata no.515 pertaining to Mouza- Raghunathpur, there is no such plot as 51.

Learned counsel for the petitioner submitted that this case arises out of a complaint petition. He has produced the sale deed executed by the petitioner Hemanta Kumar Rout @ Hemanta Rout in favour of the complainant, which indicates that the consideration amount was Rs.5,000/- (rupees five thousand) in the year 1990.

Considering the fact that the petitioner is granted interim protection since 27.04.2021 and there is no allegation that the petitioner has flouted the terms and conditions of the order of the interim bail and there is no criminal antecedents against the petitioner and the nature of dispute between the parties, the interim order dated 27.04.2021 is made absolute subject to the condition that the petitioner shall deposit a sum of Rs.5,000/- (rupees five thousand) in the Court of learned J.M.F.C. (O), Bhubaneswar within a period of one week and on

deposit of such amount, the same shall be disbursed in favour of the complainant/informant. If the petitioner fails to deposit the said amount, then the learned Magistrate shall take steps for immediate arrest of the petitioner.

The ABLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

RKM

