

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1761 of 2022

Tripati Khila

....

Petitioner

Ms. Eleena Dash, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. D.K. Mishra

Addl. Standing Counsel

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

**ORDER
03.03.2022**

Order No.

01. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

Heard Ms. Eleena Dash, 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 Chitrokonda P.S. Case No.133 of 2021 corresponding to G.R. Case No. 947 of 2021 pending in the Court of learned S.D.J.M., Malkangiri for the commission of the alleged offences punishable under sections 120-B/384/420/34 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.12,500/- (rupees twelve thousand five hundred).

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

Learned counsel for the State has no serious objection to grant of anticipatory bail to the petitioner.

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.12,500/- (rupees twelve thousand five hundred only) before the learned S.D.J.M., Malkangiri within a period of two weeks from today and in the event, the amount is deposited, the learned S.D.J.M., Malkangiri shall issue notice for the appearance of the informant and on

being properly identified, the money shall be disbursed to the informant. The petitioner 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 take step for arrest of the petitioner.

The ABLAPL is accordingly disposed of.

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

Copy of the order be communicated to the learned S.D.J.M., Malkangiri.

(S.K. Sahoo)
Judge