

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2456 of 2022

1. Tirtha Bhoi

2. Sabita Sahu @ Barik

3. Kuber Pradhan

....

Petitioners

Mr.Bhojaraj Seth, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.A.K. Beura

Addl. Standing Counsel

*Mr. Amitav Pradhan, Advocate
for the informant*

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

**ORDER
29.03.2022**

Order No.

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

Mr. Amitav Pradhan, learned counsel files power on behalf of the informant, which is taken on record.

Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.622 of 2022 arising out of Sambalpur Town P.S. Case No.50 of 2022 pending in the Court of learned S.D.J.M., Sambalpur for

alleged commission of offences under sections 419/420/465/468/467/471/120-B of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that it is a case of civil dispute between the co-sharers and the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the informant submitted that the fake documents were prepared in the name of dead persons and those were utilized for the purpose of cheating and therefore, the petitioners should not be granted anticipatory bail.

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

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, while not inclining to grant anticipatory bail to the petitioners, it is observed that in the event the petitioners surrender in the Court below within a period of four weeks from today and move for bail, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and so far as petitioner no.2 is concerned, proviso to section 437(1) Cr.P.C. shall be taken into account at the time of adjudication of the bail application. The case records shall be made

available to the Court concerned.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM

