

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3067 of 2022

Sushanta Kumar Behera* *Petitioner

Mr.G. Sethi, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr.J.P. Patra,
Addl. Standing Counsel*

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

ORDER

26.04.2022

Order No.

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

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 Charmal P.S. Case No.144 of 2021 corresponding to G.R. Case No.503 of 2021 pending in the Court of learned S.D.J.M., Rairakhol for alleged commission of offences under sections 409, 420, 467, 468, 471 of the Indian Penal Code.

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

Learned counsel for the petitioner submitted that the petitioner was Branch Manager of Union Bank of India, Badmal Branch under Charmal P.S. jurisdiction and the offences are triable by Magistrate and therefore, the

anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State has produced the written instruction dated 05.04.2022 received from Inspector-in-charge of Charmal police station in which it is mentioned that internal enquiry was taken place within the bank and the total funds of Rs.56,227,54,00/- have been credited back. The written instruction is taken on record.

Considering the submissions made by the learned counsel for the respective parties and since the misappropriation amount has already been credited back and the offences are triable by Magistrate, 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 make himself available for interrogation by the I.O. as and when required and cooperate with the investigation and he shall not try to tamper with the evidence. Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge