

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3501 of 2022

Saina Kar

....

Petitioner

Mr. Anirudha Das, Advocate

-versus-

Union of India (C.B.I.)

....

Opp. Party

*Mr. Sarthak Nayak,
Special Public Prosecutor*

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

**ORDER
17.05.2022**

Order No.

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

Heard Mr. Anirudha Das, learned counsel for the petitioner and Mr. Sarthak Nayak, learned Special Public Prosecutor appearing for the C.B.I.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with CBI/SPE/ACB/2021 F.I.R. No.RC-08(A)/2021-BBSRC0152021A0008 pending in the Court of learned Special Judge, C.B.I., Bhubaneswar for alleged commission of offences under sections 120-B/420 of the Indian Penal Code and section 13(2) read with section 13(1)(d) of the Prevention of Corruption Act, 1988.

Perused the F.I.R.

Learned counsel for the petitioner submitted that a false case has been foisted against the petitioner and during course of investigation of the case, the petitioner on being noticed appeared before the Investigating Officer and cooperated with the investigation and the ingredients of the offences are not attracted and proceeding is also subjudiced before the Debt Recovery Tribunal and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Mr. Sarthak Nayak, learned Special Public Prosecutor appearing for the C.B.I. submitted that during course of investigation, some forged documents, rubber stamps, sale deeds etc. were seized and there are huge amount of money involved in the case and two banks have been cheated in the case in hand and therefore, it is not a fit case for grant of anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature and gravity of the accusation against the petitioner, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail, the same shall be disposed of as expeditiously as

possible by the Court below in accordance with law.
The case records shall be made available to the Court
concerned for adjudication of the bail application.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM

