

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4200 of 2021

1. Ajay Upadhaya

2. Dillip Sharma

....

Petitioners

Mr.Milan Kanungo

Senior Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.J.P. Patra,

Addl. Standing Counsel

Mr. S.Ch. Mohapatra, Advocate
(for the informant)

CORAM:
JUSTICE S.K. SAHOO

ORDER
30.03.2022

Order No.

04.

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

Heard the learned counsel for the petitioners 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 Kaniha P.S. Case No.76 of 2021 corresponding to G.R. Case No. 482 of 2021 pending in the Court of learned S.D.J.M., Talcher for commission of alleged offences under sections 420, 468, 470, 471, 120-B, 406/34 of the Indian Penal Code.

It seems that the petitioners were granted interim protection as per order dated 12.04.2021.

Mr. Soura Chandra Mohapatra, learned counsel appearing for the informant submitted that on completion of investigation, charge sheet was submitted against the petitioners for commission of offences under sections 420, 468, 470, 471, 120-B, 406/34 of the Indian Penal Code. Learned counsel has brought to the notice of the Court the order dated 06.01.2022 passed by the learned S.D.J.M., Talcher wherein basing on the charge sheet, the learned Magistrate took cognizance of the offences and issued summons to the petitioner and other co-accused persons, which has been challenged by the petitioner and other co-accused persons in CRL.REV. No. 99 of 2022.

Mr. Milan Kanungo, learned Senior Advocate appearing for the petitioners does not dispute the above position.

Considering the submissions made by the learned counsel for the respective parties, since summons have been issued to the petitioners, there is no apprehension of arrest of any of the petitioners.

Accordingly, the ABLAPL stands disposed of.

The interim order dated 12.04.2021 stands vacated.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge