

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4466 of 2022

Pradhan Singh and another ***Petitioners***
Mr. Anjan Kumar Biswal, Advocate
-versus-
State of Odisha ***Opp. Party***
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.09.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with C.T. Case No.269 of 2022, arising out of Badasahi P.S. Case No.88 of 2022 pending in the court of learned J.M.F.C., Benoti for commission of offence punishable under Sections 294/341/323/354/417/420/506/34, I.P.C.
5. It is submitted learned counsel for the petitioners that the F.I.R. has been lodged by one Gubai Singh, who happens to be the beneficiary to Pradhanmantri Awas Jojona alleging that the petitioner had taken away a sum of Rs.35,000/- from the informant to construct a under Pradhanmantri Awas Jojona. It is further submitted by learned counsel for the petitioners that the petitioners

are ready and willing to return the money as has been taken from the informant.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is directed that in the event the petitioners surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper.

7. It is further directed that the bail granted to the petitioners is subject to the condition that the petitioners shall return money to the informant a sum of Rs.20,000/-(rupees twenty thousand), failing which this order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge