

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.4681 OF 2020

Budhaditya Pradhan

....

Petitioner

Mr.P.R. Chhatoi, Advocate

-versus-

State of Odisha

....

Opposite Party .

Mr.S.K. Nayak, AGA,

CORAM:

MR. JUSTICE D.DASH

ORDER

11.03.2022

Order No.

- 03.
1. This matter is taken up through hybrid arrangement (virtual/ physical) mode.
 2. This the second journey of these Petitioner in filing this application under Section-438 of the Cr.P.C. who have been implicated in connection with Konark P.S. Case No.48 of 2018 corresponding to G.R. Case No.155 of 2018 pending on the file of the learned J.M.F.C., Konark for alleged commission of offence under section 420/506/34 of the IPC, for his grant of anticipatory bail in the event of his arrest in the above mentioned case.
 3. Learned Counsel for the Petitioner submits that the earlier application under section-438 of the Cr.P.C. filed by this Petitioner had been rejected only on the ground that pursuant to the condition imposed on the Petitioner during grant of interim protection by this Court, he failed to abide by the same. He further submits that on that occasion, although the Petitioner had filed an additional affidavit indicating all the details of his explanation those have not been taken into account in their proper perspective. He submits that whenever the Petitioner had not appeared before the Investigating Officer; he had all the justification and compelling reasons which

he had informed the Investigating Officer. In view of all these above, he prays for reconsideration of the prayer for grant of anticipatory bail to the Petitioner as according to him, likely arrest and detention of this Petitioner would serve no useful purpose, except ruining his career.

4. Learned Counsel for the State submits that the Petitioner's additional affidavit on record having been filed earlier, those explanations are to be deemed to have been rejected.

3. Considering the submissions and on going through the nature of accusations; further keeping in view the surrounding circumstances of the case as also concerning the Petitioner, finding changing circumstances, while being inclined to re-consider the prayer for grant of anticipatory bail to the Petitioner; it is directed that in the event the Petitioner surrenders before the Court in seisin of the case in the above mentioned case within three weeks hence and moves for his release on bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the said Court.

4. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

(D. Dash),
Judge.

Narayan