

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5130 of 2021

Kishan Sharma

....

Petitioner

Mr. M.K. Mohapatro, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. A.K. Beura

Addl. Standing Counsel

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

**ORDER
12.05.2022**

Order No.

05. 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 Junagarh P.S. Case No.131 of 2021 for alleged commission of offences under sections 420/467/468/471 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that Junagarh P.S. Case No.131 dated 14.04.2021 has been registered against the petitioner under sections

420/467/468/471 of the Indian Penal Code basing on the first information report submitted by Shri Bijaya Kumar Senapati, Block Education Officer, Junagarh in the district of Kalahandi and the petitioner has been removed from his service. Learned counsel further submitted that similar cases were instituted against other persons and they have already been released on bail and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State, on the other hand, submitted that the petitioner produced fake educational certificate and was engaged as Part Time Physical Education Instructor (PPEI) in Dasigaon U.P. School under Junagarh Block and during verification, it was found that such certificate was a forged one and in that process, the petitioner has misappropriated the Government money.

Considering the submissions made by the learned counsel for the respective parties, 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 Courts 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.

The interim order dated 26.04.2021 stands vacated.

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

(S.K. Sahoo)
Judge

RKM

