

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5734 of 2022

Sudarshan Panika and others

Petitioners

....

Mr.S.G.Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

17.10.2022

Order No.

06. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 468, 471, 420, 294, 506/34 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioners that the Petitioners purchased the vehicle in question on hire purchase basis and they have already paid Rs.1,71,500/- by 15.07.2021. Thereafter he has defaulted in EMI dues. Thereafter he vehicle has been seized and taken over by the Finance Company and the same is in the stockyard of Mahindra Finance Company.
5. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the

event the Petitioners surrender and move for bail before the learned S.D.J.M., Patnagarh in G.R.Case No.112 of 2022 arising out of Belpada P.S.Case No.26 of 2022 within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioners shall cooperate with the investigation and appear before the I.O. as and when required by the I.O.;
- (ii) They shall not indulge in similar nature of criminal offence while on bail;
- (iii) They shall appear before the trial court on each and every date fixed.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

- 5. The ABLAPL is disposed of accordingly.
- 6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge