

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5801 of 2022

Dandapati Santosh Kumar Dora ***Petitioner***
Ms. Deepali Mahapatra, Advocate
-versus-

State of Odisha ***Opp. Party***
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

28.07.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner and learned counsel for the State.
 3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
 4. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.536 of 2022, arising out of Badambadi P.S. Case No.119 of 2022 pending in the court of learned J.M.F.C. Rural Court, Cuttack for commission of offence punishable under Sections 468/471.
 5. It is submitted learned counsel for the petitioner that the present case arose between the parties with regard to a sum of money Rs.40,000/-(rupees forty thousand) has given to the informant and the informant has given four numbers of cheques to the petitioner towards repayment of said amount. When the petitioner deposited the same for encashment, the cheques were bounced due to

insufficient of funds. Thereafter, the petitioner filed a case under Section 138 of the N.I. Act on 04.10.2021. The present case has been made as counter blast to the said proceeding under Section 138 of the N.I. Act which has been initiated lodging of the present F.I.R. on 29.04.2022. Therefore, learned counsel for the petitioner submits that the present case is counter blast case filed by the petitioner under Section 138 of the N.I. Act.

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 petitioner. However, it is directed that in the event the petitioner surrenders before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case and moves an application for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper with further condition that petitioner shall cooperate with the Investigating Officer as when required for the purpose of investigation and he shall not default in attendance of the court during trial on each date of posting.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge