

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6411 of 2022

Lingaraj Dwibedi **Petitioner**

Mr.N. Lenka, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr.Rajesh Tripathy,
Addl. Standing Counsel*

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

ORDER

05.07.2022

Order No.

01. 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 Nayapalli P.S. Case No.246 of 2022 corresponding to C.T. Case No.2196 of 2022 pending before the learned S.D.J.M., Bhubaneswar for commission of alleged offences under sections 420/406/468/471/294/506/120-B/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the case arises out of a complaint petition, which was forwarded under section 156(3) of Cr.P.C. to the

Inspector in-charge of Nayapalli police station and accordingly, the case has been registered. He further submitted that the offences are triable by Magistrate and the only allegation against the petitioner is that he introduced the complainant to the co-accused to sell the land, but subsequently problem was faced by the complainant as mutation could not take place.

Learned counsel for the State opposed the prayer for anticipatory bail and submitted that the consideration amount was refunded by way of cheque to the informant, but when the same was presented before the bank for encashment, both the cheques were dishonoured.

Perused the F.I.R. annexed to the anticipatory bail application.

Considering the submissions made by the learned counsel for the respective parties, nature of accusation against the petitioner and since the main allegation is against the co-accused and the offences are triable by Magistrate, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as

and when required and he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing any facts to the Courts or to the Investigating Officer. Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo

