

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7641 of 2022

Pradipta Kumar Das & another ***Petitioners***
Mr.S.R.Mohapatra, Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

23.08.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioners and the learned Additional Government Advocate. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioners that the Petitioners and the informant mutually settled the matter in presence of the I.I.C., Dhauli P.S. He further submits that pursuant to such mutual settlement, the Petitioner No.1 has already handed over a post dated cheque of Rs,2,80,000- to the informant. Pursuant to the aforesaid settlement, the Petitioner No.2 issued a post dated cheque of Rs.1,00,000/-However, on presentation of the said cheque

on due date the cheque was dishonoured as there was inefficient of fund in the account of Petitioner no.2.

5. Considering the nature of allegations made, gravity of the offence and the fact of the case, I am not inclined to grant anticipatory bail to the Petitioners. However, it is directed that in the event the Petitioners surrender before the learned S.D.J.M., Bhubaneswar in C.T.Case No.2097 of 2022 arising out of Dhauli P.S.Case No.73 of 2022 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate subject to refund of the amount as undertaken by him within a period of two months and subject to furnishing a cash security of Rs.1,00,000/- (Rupees one lakh) and the said sum of Rs.1,00,000/- be deposited in any Nationalized Bank in interest bearing account in the name of Judge-in-Charge, Nizarat, Civil Court, Bhubaneswar.

6. Accordingly, the ABLAPL is disposed of.

7. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge