

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.7718 of 2022**

***Abhisek Joshi***

....

***Petitioner***

*Mr. Sudeep Kumar Sarangi, Advocate*

*-versus-*

***State of Odisha***

....

***Opposite Party***

*Mr. Sitikant Mishra, A.S.C.*

**CORAM:**

**JUSTICE A.K.MOHAPATRA**

**ORDER**

**25.08.2022**

**Order No.**

03. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 419/420/465/468/34, I.P.C.
4. Learned counsel for the Petitioner submits that the main allegation is against one Aswini Kumar Choudhury, who is the principal accused, and it is alleged that said Aswini Kumar Choudhury by misusing a Power of Attorney has manufactured documents and has executed sale deed in respect of the properties which belong to the Informant. Learned counsel for the Petitioner further submits that the present Petitioner has not been named in the F.I.R.

5. Considering such submission, and further considering the seriousness of the allegation, gravity of the offence and facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Bhubaneswar in C.T. Case No.2948 of 2022 corresponding to Bharatpur P.S. Case No.182 of 2022 within a period of three weeks from today, he 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 conditions –

- (i) While on bail, the Petitioner shall not threaten, terrorise, ill-treat or harass the Informant and his family members as well as the prosecution witnesses in any manner whatsoever;
- (ii) He shall appear before the I.O. and shall cooperate with the investigation as and when required.
- (iii) He shall also appear before the learned trial court on each date of trial, without fail.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

**(A.K. Mohapatra)**  
**Judge**