

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8405 of 2022

Pravat Mangaraj

....

Petitioner

Mr. Lalitendu Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Rout, A.G.A.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

28.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Govt. Advocate for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offences punishable under Sections 408/420/465, I.P.C.
4. It is submitted by learned counsel for the Petitioner that the Petitioner was employed under the Complainant, who was working as DGM of the Company named Swosti Travels, Bhubaneswar. While working in the complainant's Company, the Petitioner was not paid with salary regularly. Therefore, for recovery of his salary, the Petitioner initially filed a Civil Suit in February, 2022 for recovery of a sum of Rs.6,29,826/- towards his arrear salary. Thereafter the said

matter was referred to the Mediation in the month of April, 2022 for amicable settlement.

5. It is stated by learned counsel for the Petitioner that the matter is pending before the District Legal Services Authority for mediation. The Petitioner also approached the Commissioner, Labour Court by filing an application in the month of May, 2022. He further submits that in order to counter the claim of the present Petitioner, a complaint case was filed by his Employer in the month of June, 2022, wherein the Petitioner has been added as an accused. Pursuant to the order of the learned S.D.J.M., Bhubaneswar under Section 156(3), Cr.P.C., the same has been registered as P.S. Case and the corresponding C.T. Case No.3686 of 2022 is pending before the learned S.D.J.M., Bhubaneswar.

6. Considering such submissions, nature of allegation in the F.I.R., gravity of the offence and the facts and circumstances 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 before the learned S.D.J.M., Bhubaneswar in C.T. Case No.3686 of 2022 corresponding to Kharavelnagar P.S. Case arising out of ICC No.3498 of 2022 within a period of three weeks from today, the Petitioner 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, learned Magistrate shall also add a condition whereby the Petitioner, while on bail, shall cooperate in the investigation by appearing in person before the Investigating Officer as and when required and he shall also appear before the trial court regularly on each and every

date fixed, without fail. Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

7. The ABLAPL is disposed of accordingly.
8. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

S.K.Parida

