

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8761 of 2022

Bhagirathi Rao

.... ***Petitioner***
Mr. A. Tripathy, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.09.2022

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner and learned Additional Standing 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 Berhampur Town P.S. Case No.192 of 2022 corresponding to G.R. Case No.1605 of 2022 pending in the court of learned S.D.J.M., Berhampur for commission of offence punishable under Sections 420/467/468/471/474/506/386/120-B, I.P.C.
 5. It is submitted by learned counsel for the petitioner that the dispute involved in the F.I.R. pertains to long standing civil dispute. There is case and counter case have been made by either side for falsification of record, creation of document with regard to title over the properties involved in the present case. It is also submitted that the civil suits are pending before the competent court below. Further, it is submitted by leaned counsel for the petitioner that the mutation

proceeding, which attains finality is pending for sub-judice before this Court. It is further submitted by learned counsel for the petitioner that the petitioner has one criminal antecedent of similar nature.

6. Learned counsel for the State, on the other hand, submits that if the petitioner be released on bail, some stringent terms and conditions may be imposed on the petitioner while releasing him on bail.

7. Considering the submissions of the parties and the materials placed before the Court, it is directed that in the event of arrest of the petitioner by the Arresting Officer in the aforesaid case, petitioner shall be released on bail on such terms and conditions as deemed just and proper by the Arresting Officer.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge