

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9088 of 2022

Paresh Kumar Mohanty @ Luta Mohanty ***Petitioner***

Mr. D.K. Mohanty, Advocate

-versus-

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
25.08.2022

Order No.

- 02.
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 G.R. Case No.789 of 2021, arising out of Konark P.S. Case No.186 of 2021 pending in the court of learned J.M.F.C., Konark for commission of offence punishable under Sections 406/420/294/323/506/427, I.P.C.
 5. It is submitted by learned counsel for the petitioner that there is a dispute with regard to payment of money between the parties as a result of which a complaint case has been lodged against the petitioner. It is further submitted by learned counsel for the petitioner that out of Rs.2,00,000/-(rupees two lakhs), Rs.1,30,000/-(rupees one lakh thirty thousand) has already been paid to the informant. It is also submitted

that the petitioner does not have any criminal antecedents..

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders and moves for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper with further condition that the petitioner shall not default in attendance of the court during trial on each date of posting.

7. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether the petitioner has any criminal antecedents of similar nature. In the event it is found that the petitioner has any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge