

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

**ABLAPL No. 9115 of 2022**

***Laxmikanta Sahoo***

....

***Petitioner***

***Mr.Kasinath Pattanaik, Advocate***

***-versus-***

***State of Odisha***

....

***Opposite Party***

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

***Mr.Subha Narayan Das, Advocate for  
informant.***

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**04.08.2022**

**Order No.**

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for both the parties and perused the records.
3. The Petitioner is apprehending his arrest for the alleged commission of offence under Sections 418, 419, 420, 468, 120-B of the Indian Penal Code read with Section 66(D)© of Information Technology Act, 2000 in G.R.Case No.1595 of 2021 arising out of Cantonment P.S.Case No.140 of 2021 of the Court of the learned S.D.J.M.(S), Cuttack.
4. Affidavit filed by the informant in Court be kept on record.
5. It is submitted by the learned counsel for the Petitioner that one co-accused has already been released on bail by the learned court below.
6. Considering the facts of the case, this Court is not inclined to grant anticipatory bail to the Petitioner.

7. However, on the submission of the learned counsel, the Petitioner is given liberty to surrender before the learned S.D.J.M.(S), Cuttack in the aforesaid case in the first hour within 21 working days hence and move for bail. On such event, the learned Magistrate shall consider his application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the bail application, the Petitioner may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the Petitioner on the same day strictly on the basis of the materials on record, by maintaining the principles of parity, if applicable.

8. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the Petitioner, if applied for.

9. The ABLAPL is accordingly disposed of.

10. Issue urgent certified copy of the order as per Rules.

RKS

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