

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9407 of 2022

Sandip Kumar Jena & another ***Petitioners***
Mr.Amlan Shakti Paul, Advocate
-versus-
State of Odisha ***Opp.Party***
Mr.P.K.Rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
08.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioners that the informant had lent Rs.5,00,000/- from the Petitioners for treatment of ailing husband of the informant. It is further submitted by the learned counsel for the Petitioners that the informant had agreed to sell the plot belonging to the informant's husband to the Petitioners in return of Rs.5,00,000/- which was borrowed from the Petitioners by the informant. Further it is submitted by the learned counsel for the Petitioners that when they demanded back the money from the informant, the informant has lodged the complaint case against the Petitioners making false allegations against them.
5. Considering the nature of allegations made, gravity of the

offence and the fact of the case, I am not inclined to grant anticipatory bail to the Petitioners. However, it is directed that in the event the Petitioners surrender before the learned S.D.J.M., Bhubaneswar in I.C.C. Case No.3457 of 2022 which was subsequently sent to Nayapalli P.S. under section 156(3) Cr.P.C. for registration of F.I.R. within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate with further conditions that the Petitioners shall not threaten, influence, terrorise and harass the complainant and her family members in any manner whatsoever. They also cooperate with the investigation and appear before the I.O. as and when required for the purpose of investigation. Violation of conditions shall entail cancellation of bail.

6. The ABLAPL is accordingly disposed of.
7. Issue urgent certified copy of the order as per Rules.

(A.K. Mohapatra)
Judge