

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9453 of 2022

Sanjib Kumar Patro

.... ***Petitioner***
Mr. B.K. Dash, Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned 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.515 of 2022 arising out of Golanthara P.S. Case No.95 of 2022 pending in the court of learned S.D.J.M., Berhampur for commission of offence punishable under Sections 419/420/467/468/471/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that the petitioner is practicing lawyer of Berhampur Bar. He further submits that the petitioner was called upon to identify the seller of the land in the alleged fake sale deed. It is further submitted that on the basis of the documents produced before the petitioner, the petitioner agreed to identify the seller and in such view of the matter, learned counsel for

the petitioner submits that on the basis of the documents supplied to the petitioner, the petitioner identified the seller in a good faith. However, this Court feels that the petitioner being a lawyer has not discharged his duties properly and he was not diligent in identifying the seller.

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 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 conditions that petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation, he shall not harass, torture, threaten or terrorize the informant and his/her family members in any manner whatsoever while on bail and he shall not default in attendance of the during trial on each date of posting.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. Further, it is directed that the petitioner shall given an undertaking before the learned court below that while releasing on bail, he will ensure that the he will not be involved in similar nature of offences. Non-compliance of conditions shall entail cancellation of the bail.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge

