

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9679 of 2022

Narayan Mohanty

....

Petitioner

Mr.Satyashree Mohanty, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S.Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioner that on the basis of a complaint lodged by one Chaitanya Mohanty before the Branch Manager, Odisha Gramya Bank, Astaranga Branch has lodged this F.I.R. The complainant has complained before the Branch Manager that he has deposited three numbers of fixed deposit each Rs.70,000/- at Odisha Gramya Bank, Astaranga Branch in the year 2018. However, it is alleged that the present Petitioner in connivance with other accused persons had closed the Fixed Deposit accounts prematurely and deposited the same in their accounts. When the complainant came to know about such fact, he had complained

before the Odisha Gramya Bank, Astaranga Branch. Accordingly, the present F.I.R. has been lodged.

5. The Complainant appears before this Court being represented by his lawyer and files an affidavit. On perusal of the Affidavit it appears that the entire amount of Rs.2,10,000/- has been returned to the complainant Chaitanya Mohanty and it is further stated in the Affidavit that the matter has been amicably settled amongst the parties.

6. 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 Petitioner. However, it is directed that in the event the Petitioner surrenders before the learned J.M.F.C., Nimapara in G.R.Case No.711 of 2022 arising out of Astarang P.S.Case No.172 of 2022 within a period of three weeks from today and moves for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate subject to verification of the fact that the complainant Chaitanya Mohanty has received the entire amount of Rs.2,10,000/- as stated in the affidavit dated 12.08.2022.

6. Accordingly, the ABLAPL is disposed of.

7. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

