

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9866 of 2022

Debendra Paik

....

Petitioner

Mr. J.K. Khuntia, Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.08.2022

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 C.T. Case No.241 of 2022, arising out of Basta P.S. Case No.85 of 2022 pending in the court of learned J.M.F.C., Basta for commission of offence punishable under Sections 417/406/294/323/354/506/34, I.P.C.
 5. It is submitted by learned counsel for the petitioner that the present case arises out of a complaint case. The said complaint case has been filed involving the same dispute with regard to tenancy payment of rent. It is further submitted that the principal accused has lodged the complaint petition against one Sanjay Mohapatra and that there is no case made out against the present petitioner.

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 an application 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.

7. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

