

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9964 of 2022

Srikanta Behera

.... ***Petitioner***
Mr. J.K. Majhi, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S.K. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.08.2022

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.771 of 2022, arising out of Baliapal P.S. Case No.311 of 2022 pending in the court of learned J.M.F.C., Basta for commission of offence punishable under Sections 65/66/66-C of the Informant Technology Amendment Act, 2008.
 5. It is submitted by leaned counsel for the petitioner that the petitioner had fraudulently taken away a sum of Rs.96,000/- from the account of the informant. However, it is further submitted by learned counsel for the petitioner that the petitioner has already been refunded the entire amount to the informant in presence of the village gentries.
 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.

6. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify as to whether the petitioner has refunded a sum of Rs.96,000/- to the informant in presence of the village gentries.

7. It is open for the learned court below any other conditions may be imposed while releasing of the petitioner on bail as may be deemed just and proper.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge