

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10228 of 2022

Arup Nanda

.... ***Petitioner***
Mr. Umakant Sahoo, Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

29.08.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Mr.Pabitra Kumar Nayak, learned counsel files Vakalatnama in favour of the informant in Court. The same is accepted and be kept on record.
 3. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
 4. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
 5. It is submitted by the learned counsel for the Petitioner that one Sulekh Rath, who was Director of Athray Consultancy (OPC) Private Ltd. is the principal accused, who is running the business of the company. So far as the informant is concerned, the said Sulekh Rath had handled the business. Further, it is stated that there was

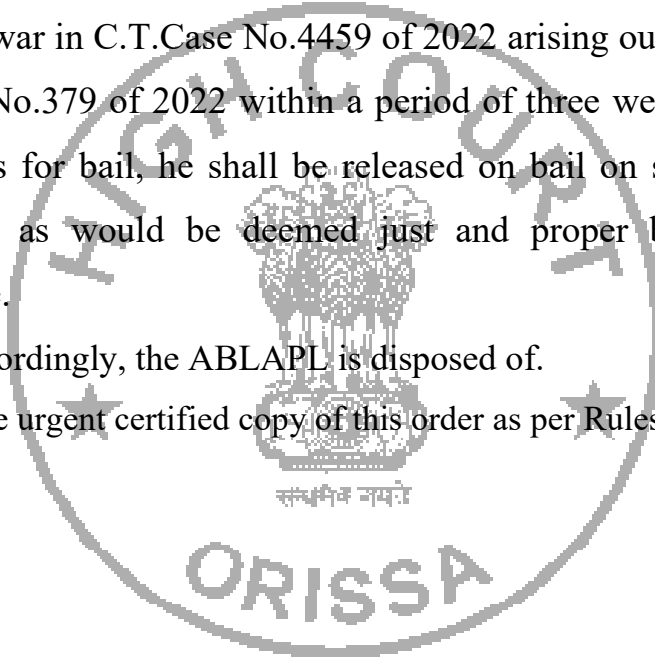
some outstanding business dues which was paid by Sulekh Rath by a cheque issued in favour of the informant under the signature of said Sulekh Rath.

6. Learned counsel for the informant submits that the amount due to him is not paid by the company to which the Petitioner is a Director. However, cheque was issued by one Sulekh Rath.

7. Considering the nature of allegations made, gravity of the offence and the facts 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., Bhubaneswar in C.T.Case No.4459 of 2022 arising out of Khandagiri P.S.Case No.379 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.

8. Accordingly, the ABLAPL is disposed of.

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



(A.K. Mohapatra)
Judge