

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10235 of 2022

Balaram Mallick

.... ***Petitioner***
Mr. P.S.Nayak, Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

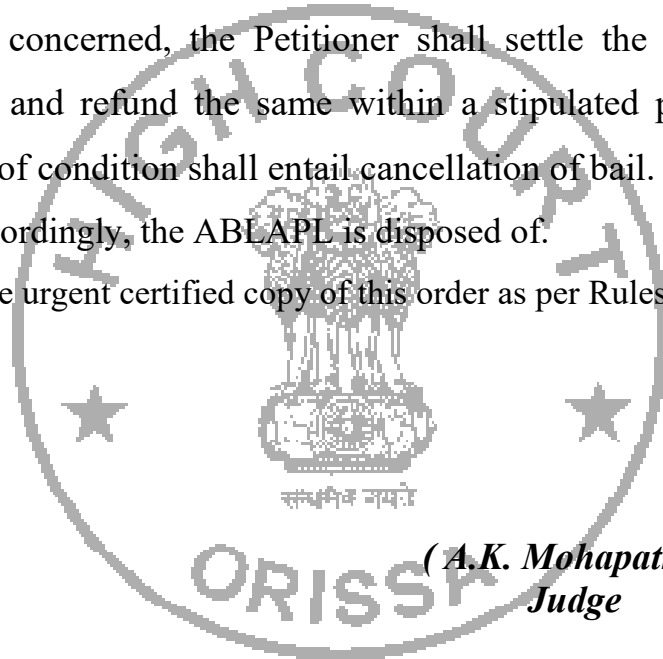
29.08.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. 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 the Petitioner had taken some money for treatment of his wife, who has been suffering from cancer. However, when the informant approached the Petitioner, the Petitioner could not return the money and accordingly this false case has been registered against the Petitioner to put pressure on the Petitioner to return money.
 5. 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 S.D.J.M., Jajpur in C.T.Case No.569 of 2022 arising out of Binjharpur P.S.Case No.184 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, but subject to verification of criminal antecedents of similar nature against the Petitioner and subject to petitioner refunding a sum of Rs.30,000/- (Rupees Thirty thousand) initially within a period of one month from the date of surrender. So far as the refund of balance money is concerned, the Petitioner shall settle the same with the informant and refund the same within a stipulated period of time. Violation of condition shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.
7. Issue urgent certified copy of this order as per Rules.



(A.K. Mohapatra)
Judge