

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10491 of 2022

Niranjan Parida

....

Petitioner

Mr. Surendra Kumar Biswal, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashank Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

06.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 494/109/34, I.P.C.
4. It is submitted by learned counsel for the Petitioner that, in the meantime charge-sheet has been filed in the case, and thereafter the Petitioner has received summon from the Court of learned J.M.F.C. (R), Balasore to appear in C.T. Case No.1124 of 2018, wherein it has been specifically stated that the presence of the Petitioner is necessary for framing of charge under Sections 494/109/34, I.P.C.

5. Learned counsel for the Petitioner submits that the Petitioner being a government employee, expresses his apprehension that in the event he appears before the court, there is possibility that the Petitioner may be detained in custody.

6. However, considering the nature of offences, this Court is of the opinion that, as all the offences are bailable in nature, there is no apprehension of Petitioner's detention or arrest.

7. The ABLAPL is disposed of accordingly.

8. However, it is open for the Petitioner to appear in the court below pursuant to the summon issued on dated 22.08.2022 for framing of charge in the aforesaid C.T. Case.

9. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge