

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10757 of 2022

Sachin Agarwal

.... ***Petitioner***
Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

08.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the petitioner and learned 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.543 of 2022 arising out Reamal P.S. Case No.316 of 2022 pending in the court of learned J.M.F.C., Reamal for commission of offences punishable under Sections 420/406/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that the petitioner is a contractor, who has been assigned to work the PMAY(G). He further submits that since the authority did not clear the running bill, he was not completed the construction as a result of which the present case has been foisted against the 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. Further, it is directed that the petitioner shall give an undertaking before the learned court below that while releasing on bail, he will ensure that the construction work under the PMAY(G) will be completed, failing which this order shall stand automatically revoked.

8. Accordingly, the ABLAPL is disposed of.

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

(*A.K. Mohapatra*)
Judge

Jagabandhu

