

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10853 of 2022

Jayanti Banara

.... ***Petitioner***
Mr. S.K. Joshi, Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.09.2022

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 G.R. Case No.45 of 2021, arising out of Barbil P.S. Case No.15 of 2021 pending in the court of learned J.M.F.C., Barbil for commission of offence punishable under Sections 420/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that total outstanding of Rs.86,000/- has been paid by the petitioner to the informant as a result of which the present case has been registered. It is further submitted by learned counsel for the petitioner that the petitioner is the partner of the firm which was involved transaction intra partnership. It is also submits that the petitioner does not have any criminal antecedents.

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, petitioner shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- II. he shall not default in attendance of the court during trial on each date of posting;

Violation of any of the terms and conditions shall entail cancellation of bail.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge