

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11388 of 2022

Pitambar Sahoo

....

Petitioner

Mr. Sudeep Kumar Sarangi, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

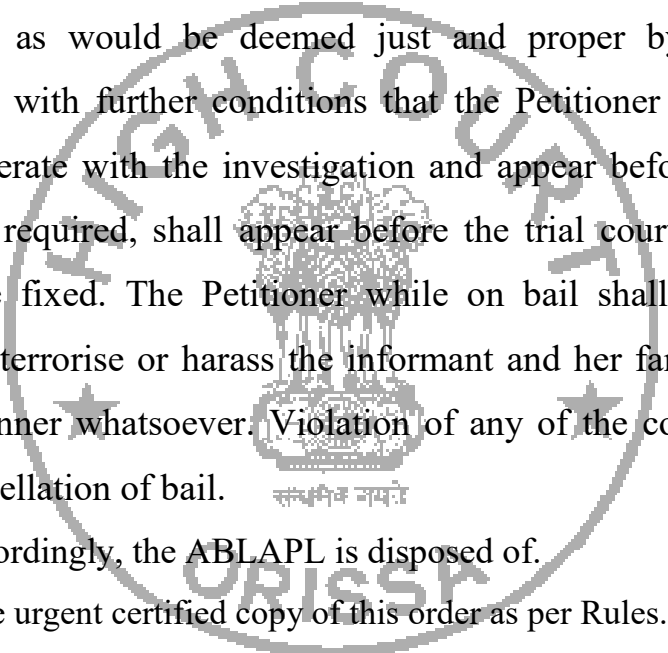
ORDER

16.09.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner and 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 after acquiring the land in question one Jayaprakash Sahoo got the same mutated in his name. Thereafter he sold the same further lawfully. However, the informant, who is the original recorded owner has come forward with an allegation that the said Jayaprakash Sahoo has acquired the land by impersonating the informant. He further submits that the informant has filed a civil suit bearing C.S.No. 528 of 2022 before the learned Senior Civil Judge, Bhubaneswar wherein

status quo order has also been granted. The validity of the sale deed can be determined by the competent civil court. He also submits that the Petitioner has not been named in the F.I.R.

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., Bhubaneswar in C.T.Case No.356 of 2022 arising out of Badagada P.S.Case No.198 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 with further conditions that the Petitioner while on bail shall cooperate with the investigation and appear before the I.O. as and when required, shall appear before the trial court on each and every date fixed. The Petitioner while on bail shall not threaten, influence, terrorise or harass the informant and her family members in any manner whatsoever. Violation of any of the conditions shall entail cancellation of bail. संक्षिप्त न्यायो

6. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge