

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11472 of 2022

Mohan Kumar Patra

Petitioner

....
Mr. Satyanrayan Mishra, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. S.Patra, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
19.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 341, 294, 323, 354-B, 452, 427, 379, 420, 509, 506/34 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioner there exists a dispute with regard to some financial transaction between the Petitioner and the informant, as a result of which case and counter cases have been filed. He further submits that initially the present Petitioner as informant has lodged a complaint before the Police which was not registered, thereafter complaint case was filed in the court of the learned J.M.F.C., Nimapara, which has been registered

as Nimapara P.S.Case No.301 of 2022. Further it is submitted by the learned counsel for the Petitioner that the Petitioner does not have criminal antecedents of similar nature.

5. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C., Nimapara in G.R.Case No.822 of 2022 arising out of Nimapara P.S. Case No.298 of 2022 within a period of three weeks from today, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case, but subject to verification of criminal antecedents of similar nature.

5. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

RKS