

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11605 of 2022

Bichitra Kumar Behera

....

Petitioner

Mr. P.K. Nanda, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.10.2022

Order No.

02.

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. for grant of anticipatory bail to the petitioner in connection with C.T. Case No.1659 of 2022 arising out of Baripada Town P.S. Case No.771 of 2022 pending in the Court of learned S.D.J.M., Baripada for alleged commission of offences under Sections 409/420/467/468/34, I.P.C.
4. It is submitted by learned counsel for the petitioner that the present petitioner, who happens to be the husband of one Sonali Soren, who is working in the office of the Union Bank of India at Baripada Branch. He further submits that the petitioner had applied for Mudra Loan from the Bank. On being recommended by said Sonali Soren final approval and sanction was given by one

Mochiram Kisku, the Branch Manager. It is also submitted by learned counsel for the petitioner that the petitioner has been paying installments regularly. Further, he states that the Branch Manager, who is the sanctioning authority in the present case, has already been arrested and released on bail.

5. Learned counsel for the petitioner further submits that the above named Sonali Soren was suspended by the Union Bank of India. However, such suspension order was revoked and subsequently, she has been reinstated in services with a direction to report in the Regional Office at Bhubaneswar vide order dated 22.09.2022 for further posting. A copy of the said letter filed in Court today. The same is accepted and be kept on record.

6. Considering the nature of allegation, background of the case, 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, she 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 pay the installment of the Bank without fail; and
- III. 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

Jagabandhu

