

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.11641 of 2022**

***Smita Jena & another***

....

***Petitioners***

*Mr. Ramdas Achary, Advocate*

**-versus-**

***State of Odisha***

....

***Opposite Party***

*Mr. P.C. Das, 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 and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 120/120B/420/506/34, I.P.C.
4. Learned counsel for the Petitioner submits that the main allegation is against the principal accused Debaraj Jena (husband of Petitioner No.1 and son of Petitioner No.2). On perusal of the Complaint Petition attached to this bail application, it appears that the Complainant and said Debaraj Jena had entered into some sort of understanding to start a Petrol Pump, for which the complainant had agreed to provide a piece of land. Further, the Complainant had also paid a sum of Rs.12,00,000/- (Rupees Twelve Lakh) to said Debaraj Jena. However, since the aforesaid Petrol Pump could not materialize

to be set up, the Complainant asked said Debaraj Jena to return his money. However, accused Debaraj Jena did not return the said amount which he had taken, where-after the Complainant went to the house of the Petitioners, who are wife and father of said Debaraj Jena. It is alleged that the present Petitioners instead of trying to solve the problem, threatened the Complainant to dire consequences.

5. Considering the aforesaid submissions, seriousness of the allegation, gravity of the offence and facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned S.D.J.M., Bhubaneswar in C.T. Case No.4280 of 2022 corresponding to Laxmisagar P.S. Case No.283 of 2022 within a period of three weeks from today, they 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.

6. The ABLAPL is disposed of accordingly.

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

**(A.K. Mohapatra)**  
**Judge**