

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11692 of 2022

Sukadev Behera

Petitioner

Mr. S.K. Samantaraya, Advocate

-versus-

State of Odisha

Opp. Party

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

*Mr. S.K. Pattanaik, Advocate for the
Informant*

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. filed by the petitioner for anticipatory bail.
4. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.482 of 2022, arising out of Tangi P.S. Case No.499 of 2022 pending in the court of learned J.M.F.C., Tangi for commission of offence punishable under Sections 294/419/420/465/466/468/471/474/326-B/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that the petitioner is working as a Sub-registrar at the relevant point of time. Further he submits that the petitioner had no role to play in the alleged fraud. It is further contended by learned counsel for the petitioner that so far as offence under Section 326-B is concerned,

the same is not made out against the petitioner. Further, it is submitted that some of the co-accused persons have already been released on bail except the principal accused against whom the entire allegations has been made.

6. Learned counsel for the informant submits that apart from the present case, there is another case lodged recently and opposes the prayer for bail of the petitioner.

7. 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 surrender before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge