

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13056 of 2022

Akash Mohapatra

....

Petitioner

Mr. Ashok Kumar Sarangi, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

12.10.2022

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 135/138 of the Electricity Act, 2003.
4. Learned counsel for the Petitioner submits that in the F.I.R. it is alleged that the Petitioner is the Proprietor of M/s. A.K. Udyog at Puri, who defaulted in paying the electric dues to the total tune of Rs.3,92,11,019.40. It is submitted that, this Court in W.P.(C) No.15898 of 2022 vide order dated 05.08.2022 passed in I.A. No.8569 of 2022 had directed the Petitioner to deposit a sum of Rs.1.00 crore, to which the Petitioner had agreed. However, this Court had also directed that on depositing Rs.50,00,000/- (fifty lakhs) immediately, electricity supply shall be reconnected to the

Petitioner's Unit, and the rest fifty lakhs was directed to be paid in two equal installments within a period of fifteen days. Pursuant to the aforesaid order passed in the W.P.(C), the Petitioner has already deposited the amount vide Demand Drafts under Annexure-3 series. Learned counsel for the Petitioner further submits that electricity connection has already been restored to his Unit in the meantime.

5. Considering the aforesaid facts and submissions, it is directed that, in the event of arrest in connection with Chandanpur P.S. Case No.166 of 2022 corresponding to G.R. Case No.166 of 2022 pending in the Court of learned S.D.J.M., Puri, the Petitioner shall be released on bail by the Arresting Officer on such terms and conditions as the Arresting Officer shall deem fit 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

S.K.Parida