

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14012 of 2022

Bidyadhar Dash

....

Petitioner

Mr. Harekrushna Dash, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Debasis Biswal, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
04.11.2022**

Order No.

01.

1. Heard learned counsel for the Petitioner and the State.
2. By means of this application under Section 438 Cr.P.C., the Petitioner seeks bail in anticipation of his arrest for alleged involvement in the offence under Sections 465/468/420/294 IPC.
3. Learned counsel for the Petitioner submits that the document in question basing on which the cause of action for lodging the F.I.R. alleging that the Petitioner submitted the fake legal heir certificate has been relied upon in the R.P. case is only a supporting document and further that the Petitioner and the Opposite Party belonged to descendants of common ancestor sounds insignificant vis-à-vis the allegations. The learned counsel appearing on behalf of Informant opposed the contention.

4. Having regard to the fact that the document in question which is prima facie said to be a forged document but relied upon before the Court being well aware of its consequence having knowledge since its inception cannot be taken leniently and in such view of the matter, there being no denial of existence of such a certificate by the side of the Petitioner cannot escape its rigor. Hence this court is not inclined to grant bail herein.

5. If however, the Petitioner so chooses may surrender before the court below in seisin over the matter and move for regular bail, the court concerned shall deal with the same strictly on its own merits without being influenced by the observation of this court.

6. The ABLAPL is dismissed as such.

KC Bisoi

