

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15375 of 2021

Bikash Moharana

....

Petitioner

Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. A.K. Beura,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
07.04.2022**

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

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.5727 of 2021 arising out of E.O.W. P.S. Case No.13 of 2021 pending in the Court of learned S.D.J.M., Bhubaneswar for alleged commission of offences under sections 419/420/467/468/471/120-B of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that neither the informant has given any money to the

petitioner nor any money has come to the account of the petitioner and similarly situated co-accused Anikesh Sahu has already been granted bail by this Court. It is further submitted that the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioner may be favourably considered.

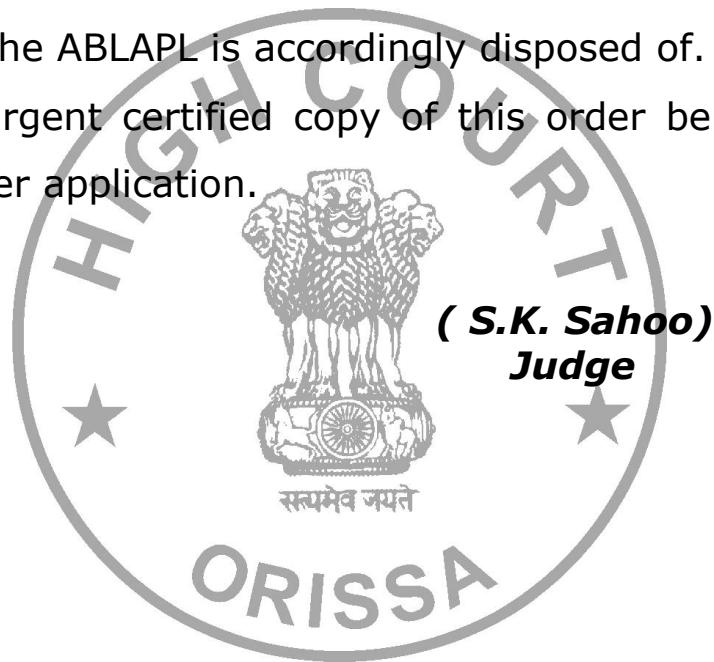
Learned counsel for the State, on the other hand, produced the written objection from the Inspector and Investigating Officer of the case wherein it is mentioned that the petitioner is also involved in a similar case i.e. E.O.W. P.S. Case No.10 dated 21.08.2021 under sections 419/420/467/468/471/120-B of the Indian Penal Code, which was prior to the registration of the present case and the accusation in that case also involves cheating to the tune of crores having similar modus operandi like impersonating himself as officer of O.T.D.C., which is also under investigation with E.O.W., Crime Branch, Bhubaneswar. Learned counsel for the State submitted that since this is a case in which economic offences have been committed, the petitioner should not be granted anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature and gravity of the accusation against the petitioner, while not inclining to grant anticipatory bail to the

petitioner, it is observed that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and claim of parity with the co-accused, who is stated to have been released on bail, shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

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



RKM