

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16151 of 2021

Kamal Lochan Panda **Petitioner**

Mr.A. Pattanaik, Advocate

-versus-

State of Odisha **Opp. Party**

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

CORAM:

JUSTICE S.K. SAHOO

ORDER

19.01.2022

Order No.

01. This matter is taken up through Video Conferencing 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.6232 of 2021 arising out of Chandrasekharpur P.S. Case No.482 of 2021 pending in the Court of learned S.D.J.M., Bhubaneswar for alleged commission of offences under sections 420/408/468/471/34 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the petitioner submitted that

the co-accused Smruti Ranjan Parida was in-charge operation in YATRI's Bhojan Private Ltd. Company and the petitioner was working under him and the said co-accused Smruti Ranjan Parida tendered his resignation on 1st November, 2021 and his last working day was supposed to be on 30th November 2021 as per the contract and he was supposed to join in AMRI Hospital, Bhubaneswar with high monthly salary and on account of such resignation, the F.I.R. has been lodged not only against the said co-accused but also against the petitioner on the accusation that he has misappropriated money of the company. It is further submitted that the allegations are false and fabricated and in order to create obstacles in the path of the co-accused Smruti Ranjan Parida in joining another institution and since the petitioner is working under him, the case has been foisted. It is further contended that co-accused Smruti Ranjan Parida has been granted anticipatory bail by this Court in ABLAPL No.15855 of 2021 as per order dated 11.01.2022 and the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, after going through the documents annexed to the application and the fact that the offences are triable by Magistrate and taking into account the release of co-accused on bail, I am inclined to release the

petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

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(S.K. Sahoo)
Judge