

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16425 of 2021

Jaya Krishna Pradhan **Petitioner**

Mr.S.P. Das, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr.D.K. Pani,
Addl. Standing Counsel*

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

ORDER

25.01.2022

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 Airport P.S. Case No.201 of 2021 corresponding to C.T. Case No.4225 of 2021 pending in the court of learned S.D.J.M., Bhubaneswar for alleged commission of offences under sections 420, 341, 294, 323, 506/34 of the Indian Penal Code.

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

Learned counsel for the petitioner submitted that the case arises out of a complaint case, which was

forwarded under section 156(3) of Cr.P.C. by the learned S.D.J.M., Bhubaneswar to the Inspector in-charge of Airport police station and accordingly the case has been registered. Learned counsel further submitted that the wife of the complainant, namely, Gayatri Bal received a sum of Rs.42,00,000/- (forty two lakhs) from the petitioner towards sale consideration of the landed property which appertains to Hal plot No.20/93, Hal khata No.35 of mouza Santarapur in the district of Khurda and the said Gayatri Bal executed an irrevocable general power of attorney and then a dispute arose pertaining to power of attorney for which a writ petition vide W.P.(C) No.32408 of 2020 was filed before this Court by the petitioner and the complainant's wife has already entered appearance in the said proceeding and she is contesting the case. It is further submitted that when a matter stood thus, the complaint case as aforesaid has been instituted just as a vindictive attitude and with ulterior motive and the offences are triable by Magistrate and therefore, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State opposed the prayer for bail and placed the documents annexed to the anticipatory bail application.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, existence of civil

dispute between the parties and the fact that the offences are triable by Magistrate, 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 each 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 any facts to the Courts 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.

(S.K. Sahoo)
Judge