

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16518 of 2021

A. Satyanarayan Patra **Petitioner**

Mr. B. Seth, Advocate

-versus-

State of Odisha **Opp. Party**

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

CORAM:

JUSTICE S.K. SAHOO

ORDER

25.01.2022

Order No.

01.

This matter is taken up by 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 I.C.C. Case No.22 of 2019 pending in the Court of learned S.D.J.M., Bhanjanagar for alleged commission of offences under sections 406/409 of the Indian Penal Code.

Perused the complaint petition.

Since it is a case arises out of a complaint petition and after taking of cognizance of offence under section 409 of the Indian Penal Code, when summons were issued to the petitioner, he did not take any step for appearing in the Court for which bailable warrant was issued and then as per order dated 25.02.2021 relying on the decision of

the Hon'ble Supreme Court in the case of **Indra Mohan Goswamy -Vrs.- State of Uttaranchal reported in (2008) 39 OCR (SC) 188**, non-bailable warrant of arrest was issued.

Considering the submission made by the learned counsel for the petitioner, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner appears before the learned S.D.J.M., Bhanjanagar in I.C.C. Case No.22 of 2019 within a period of four weeks from today and moves an application for bail before the learned Court below, the same shall be disposed of as expeditiously as possible by the Court below in accordance with law. The case records shall be made available to the Court concerned.

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

RKM