

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16527 of 2021

Asish Kumar Mohanty* *Petitioner

Mr. P.K. Nanda, 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 C.T. Case No.558 of 2021 arising out of Airport P.S. Case No.330 of 2021 pending in the Court of learned S.D.J.M., Bhubaneswar for alleged commission of offences under sections 403/405/407/406/420/34 of the Indian Penal Code.

Perused the F.I.R.

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

was sent under section 156(3) of Cr.P.C. to the Inspector in-charge of Airport police station and accordingly, the case has been instituted. He further submitted that the dispute between the parties is basically civil in nature and the offences are triable by Magistrate and after receipt of the notice of finance company, the case has been foisted and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail and submitted that dues of the finance company against the vehicle is more than Rs.19,00,000/- (rupees nineteen lakhs).

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

RKM

