

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16547 of 2021

Suresh Kumar Padhi **Petitioner**

*Mr.Biswambar Mohanty,
Advocate*

-versus-

State of Odisha **Opp. Party**

*Mr.J.P. Patra,
Addl. Standing Counsel*

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

**ORDER
24.01.2022**

Order No.

01. This matter is taken up through video conferencing.

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 Gosaninuagaon P.S. Case No.160 of 2021 corresponding to G.R. Case No.2053 of 2021 pending before the learned S.D.J.M., Berhampur for commission of alleged offences under sections 120-B, 465, 468, 471, 420/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that one Late Koutiki Sasmal was the registered owner of the land, which appertains to Khata No. 224/49, plot

no. 95 measuring an area of Ac.0.505 dec. in mouza Khajuria-2 and she had gifted the land in favour of her daughters and the daughters executed a power of attorney in favour of the petitioner to sell the land by virtue of a registered sale deed, but the informant Santosh Sasmal, who is the grandson of the said Late Koutiki Sasmal has foisted the case long after ten years 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.

Considering the submissions made by the learned counsel for the respective parties, nature of accusation against the petitioner and since the dispute between the parties is basically civil in nature 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



PKSahoo