

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 13177 of 2023

***Tapan
Behera@Tapan
Kumar Behera***

....

Petitioner

Mr. B.K. Behera, Advocate

-Versus -

State of Odisha

....

Opposite Party

Additional Standing Counsel

Mr. A. Mishra, Advocate

(Informant)

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.02.2024

**Order No.
05**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is apprehending arrest in connection with Bidanasi P.S. Case No. 276 of 2023 corresponding to G.R. Case No. 802 of 2023 pending in the court of learned J.M.F.C. (III), Cuttack for the alleged commission of offence under Sections 420/467/468/409 of IPC.
4. Learned State Counsel has produced the case diary. The allegation is that the petitioner took cash of Rs.52,000/- from the informant with the intention of arranging admission for his daughter in ABIT college.

There is proof of electronic transfer of Rs.15,000/- to the account of the petitioner. It is submitted that there is no proof of the allegation of payment of the remaining amount.

5. Having regard to the nature of accusations and the materials on record, I am not inclined to grant anticipatory bail to the petitioner, the ABLAPL is however, disposed of granting liberty to the petitioner to surrender before the court below within two weeks from the date of receipt of certified copy of this order and to move for bail. In such event, he shall be released on bail subject to deposit of Rs.15,000/- towards cash security which shall be without prejudice to the rival claims and on such terms and condition as the court below may deem fit and proper to impose.

6. The ABLAPL is disposed of.

7. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

B.C. Tudu

Signature Not Verified

Digitally Signed
Signed by: BHIGAL CHANDRA TUDU
Designation: Senior Stenographer
Reason: Authentication
Location: Orissa High Court, Cuttack
Date: 06-Feb-2024 18:18:02

