

29.02.2016

Heard learned counsel for the petitioner and learned Addl. Government Advocate.

The petitioner is apprehending arrest for the alleged commission of offence under Sections 406, 420 and 201 of the IPC in Sundargarh Town P.S. Case No.132/2015, arising out of I.C.C. No.126/2015 of the court of learned SDJM, Sundargarh.

It is apparent from the records that one Hari Shankar Pattnayak has availed loan from the complaint to purchase a tipper. It is alleged that he did not pay the entire amount and in the meantime, the chassis of the vehicle was found in the garage of the petitioner. So, there is no direct allegation against the petitioner. There is no allegation that he entered or conspired with the main accused to commit the offence under Sections 406, 420 and 401 of the IPC.

In that view of the matter, ABLAPL is allowed. In the event of his arrest in the aforesaid case, the petitioner shall be released on bail by the arresting officer on such terms and conditions as deemed just and proper by him.

The ABLAPL is disposed of accordingly.

Urgent certified copy of this order be granted as per rules.

S.K. Mishra, J.

In the interim case No. 872 of 2016, it is ordered that the petitioner no.2 shall not be disengaged only on the basis of attaining the age of 60 till the next date.

Urgent certified copy of this order be granted as per rules.

S.K. Mishra, J.