

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 1304 of 2022

Pitambara Pardia @ Chhita **Petitioner**

Mr.H.S. Mishra, *Advocate*

-versus-

State of Odisha **Opp. Party**

Mr. Susamarani Sahoo
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

15.02.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Puntala P.S. Case No.266 of 2021 corresponding to G.R. Case No.1745 of 2021 pending in the court of learned S.D.J.M., Bolangir for alleged commission of offences under sections 294/324/506/307 of the Indian Penal Code.

Learned counsel for the petitioner submitted that even though in the first information report, it is

mentioned that the petitioner assaulted the back of the injured with a Tangia, for which he sustained injuries but in the 161 Cr.P.C. statement, it is stated that when the petitioner attempted to dealt a blow by means of Tangia, the injured fell down as a result of which he sustained injuries. It is further contended that no case under section 307 of the Indian Penal Code is made out and therefore, the bail application may be favourably considered.

Learned counsel for the State on instruction submitted that the injured has sustained grievous injuries.

In view of such submission made by the learned counsel for the State, the nature and gravity of accusation and the nature of injuries sustained by the injured, while not inclining to grant anticipatory bail to the petitioner, I direct that in the event the petitioner surrenders before the learned Courts below within a period of four weeks from today and moves for bail, the same shall be disposed of by the Courts below in accordance with law expeditiously. The case records shall be made available to the Court concerned.

The ABLAPL stands disposed of.

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

