

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1601 of 2022

Chagala Pradhan **Petitioner**

Mr. L. Mahapatra, Advocate

-versus-

State of Odisha **Opp. Party**

*Mr. S.S. Pradhan,
Addl. Government Advocate*

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

**ORDER
08.03.2022**

Order No.

03. 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 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Nandankanan P.S. Case No.28 of 2017 corresponding to G.R. Case No.267 of 2017 pending in the Court of learned J.M.F.C. (O), Bhubaneswar for alleged commission of offences under sections 143/147/323/294/324/435/436/506/148/149 of the Indian Penal Code read with section 9B of the Explosives Act.

Perused the F.I.R.

Learned counsel for the petitioner submitted

that a case had already been instituted from the side of the accused persons and there was political dispute between the parties for which this case has been foisted subsequently and no specific overt act has been attributed against the petitioner and nobody has sustained any serious injury. He further submitted that the petitioner has been falsely entangled in this case and the Investigating Officer bifurcated a single incident into several cases in order to harass the petitioner and the ingredients of offences are not made out against the petitioner and similarly situated co-accused persons have already been granted anticipatory bail in ABLAPL No.4063 of 2017 as per order dated 28.06.2017 and therefore, taking into account the nature of accusation, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State has produced the case diary and on verification of the injury reports submitted that the injuries sustained by the injured persons are simple in nature.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, the political dispute between the parties, the nature of injuries sustained by the injured persons, absence of any specific overt against the petitioner and release of co-accused persons on anticipatory bail, 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.20,000/- (rupees twenty 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 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.

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

(S.K. Sahoo)
Judge