

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1652 of 2022

Bijaya Behera

....

Petitioner

Mr.Ashok Das, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. A.K. Beura,

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

27.04.2022

Order No.

03.

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

Heard the 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 Digapahandi P.S. Case No. 232 of 2021 corresponding to G.R. Case No.288 of 2021 pending in the Court of learned S.D.J.M., Digapahandi for the commission of the alleged offences punishable under sections 147, 148, 294, 323, 326, 506, 379, 307, 149, 325 of the Indian Penal Code read with sections 25/27 of the Arms Act and section 7 of the Criminal Law Act, 1932.

Learned counsel for the State has produced the injury reports of three injured persons, namely Kishan Behera, Susant Das and Suresh Behera, which indicate that the injured Kishan Behera and Susant Das have sustained simple injuries but so far as injured Suresh Behera is concerned, he was treated in the

causality and it appears that there was swelling injury and stitched wound on his neck but the nature of injury has not been mentioned in the outdoor ticket.

Learned counsel for the State has placed the statements of the witnesses from which it appear that there is no specific overt act alleged against the petitioner and the case diary reveals that the petitioner is having no criminal antecedent.

Considering the submissions of the learned counsel for the respective parties, the nature of accusation against the petitioner, the nature of injuries sustained by the injured persons and absence of any criminal antecedent against the petitioner, 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.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge