

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2518 of 2022

Manoranjan Das @ Sana Guruji ***Petitioner***
Mr. Laxman Pradhan, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. P.K. Rout, A.G.A.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
16.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offences punishable under Sections 342/323/307/506/34, I.P.C.
4. It is submitted by learned counsel for the Petitioner that the Petitioner has not been named in the F.I.R. and there exists no allegation of assault by the present Petitioner, as it reveals from 161, Cr.P.C. statement of the injured. Further, the injuries sustained by the injured are all simple in nature.
4. Considering the seriousness and gravity of the offence as alleged and the facts of the case, although this Court is not inclined to grant anticipatory bail to the Petitioner, however it is observed

that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Angul in G.R. Case No.987 of 2021 corresponding to Bantala P.S. Case No.222 of 2021 within a period of three weeks from today, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case, but subject to verification of injury report. In the event it is found that the injuries sustained by the victim are serious in nature, then this bail order shall automatically stand revoked.

While imposing conditions for bail, the learned Magistrate shall also impose further conditions, whereby,

(i) the Petitioner shall not threaten, terrorize, ill-treat or harass the informant and his family members in any manner whatsoever, while on bail.

(ii) He shall cooperate in the investigation by appearing before the I.O. as and when required, and

(iii) he shall also appear before the learned trial court on each date of trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge