

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.2574 of 2022**

***Subrath Swain @ Suratha .... Petitioner***  
***Swain***

*Mr.S.K. Jena, Advocate*

*-versus-*

***State of Odisha .... Opp. Party***

*Mr.J.P. Patra,  
Addl. Standing Counsel*

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

**ORDER  
06.04.2022**

**Order No.**

02. 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 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Subalaya P.S. Case No.23 of 2022 corresponding to G.R Case No. 90 of 2022 pending in the Court of learned S.D.J.M., Birmaharajpur for commission of alleged offences under sections 294, 324 and 307 of the Indian Penal Code.

Learned counsel for the State submitted that he has received instruction from the Inspector in-charge of Subalaya police station that there are no criminal antecedents against the petitioner and the injured in the case, namely, Gadadhar Pradhan has sustained simple injuries on the left thumb. The

instruction furnished by the learned counsel for the State is taken on record.

Perused the F.I.R. annexed to the anticipatory bail application.

Considering the submission made by the learned counsel for the petitioner that the ingredients of the offence under section 307 of the Indian Penal Code are not attracted and there are no criminal antecedents 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.

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

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

**( S.K. Sahoo )**  
**Judge**