

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2634 of 2022

Jibitesh Patra

....

Petitioner

Mr. D.K. Rath, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate*

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

ORDER

05.04.2022

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 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Khandagiri P.S. Case No.502 of 2021 corresponding to C.T. Case No.5336 of 2021 pending before the learned S.D.J.M., Bhubaneswar for commission of alleged offences under sections 294, 323, 452, 427, 354, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the case arises out of a complaint petition and there was a dispute between the son of the complainant and Dr. Ashutosh Pradhan and in fact Dr. Ashutosh

Pradhan lodged an F.I.R. against the son of the complainant and with a vindictive attitude, the complaint petition has been filed. He further submitted that the offences are triable by Magistrate and therefore, the anticipatory bail application may be favourably considered. Learned counsel for the petitioner files the copy of the F.I.R. which was lodged by Dr. Ashutosh Pradhan, which is taken on record.

Learned counsel for the State opposed the prayer for anticipatory bail.

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

Considering the submissions made by the learned counsel for the respective parties, the background of the case and the fact that the offences are triable by Magistrate and on hearing the learned counsel for the State, 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

PKSahoo

