

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2959 of 2022

Dr. Prafulla Majhi* *Petitioner

Mr.Dharanidhar Nayak
Senior Advocate

-versus-

State of Odisha* *Opp. Party

Mr. D.K. Pani,
Addl. Standing Counsel

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

**ORDER
04.05.2022**

Order No.

02. 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 Baunsuni P.S. Case No.20 of 2022 corresponding to C.T. Case No. 100 of 2022 pending in the Court of learned S.D.J.M., Boudh for commission of alleged offences under sections 323, 341, 506, 365, 307/34 of the Indian Penal Code and sections 25 and 27 of the Arms Act.

A submission was made by the learned counsel for the petitioner on 19.04.2022 that the petitioner was a Government doctor and he has voluntarily

retired from Government service and he was elected as M.L.A. of Talsara constituency for the period from 2006 to 2019 for three times. This Court passed the order on that day that he shall appear before the Inspector in-charge of Bausuni police station on the date fixed for the purpose of interrogation and he was directed to cooperate in the investigation.

Learned counsel for the State has obtained the written instructions, which are dated 27.04.2022 and 03.05.2022 from which it appears that the petitioner not only appeared on 25.04.2022 but also on 28.04.2022 and he has handed over the F.I.R. maintained vehicle (CRETA) bearing registration No.OD02M 1240, which was seized in connection with this case. The written instructions are taken on record.

Learned counsel of the State however submitted that further interrogation of the petitioner may be necessary.

Learned counsel for the petitioner submitted that the petitioner is ready and willing to cooperate with the investigation.

Considering the background of political dispute in the case and the fact that the petitioner has complied with the order of this Court in appearing before the Investigating Officer and taking into account the nature of accusation against the petitioner, the interim order dated 19.04.2022 is

made absolute subject to the conditions that the petitioner shall continue to appear before the Investigating Officer as and when required and for such purpose, a written notice in advance shall be served on him. In case the petitioner fails to appear on the date fixed and does not cooperate with the investigation, the prosecuting agency are at liberty to file appropriate application for cancellation of the bail order.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

A free copy of the order be handed over to the learned counsel for the State.

(S.K. Sahoo)
Judge



PKSahoo