

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 3081 of 2022

Ananta Kumar Mahakud Petitioner

Mr.B.B.Mishra, Advocate

-versus-

State of Odisha Opp. Party

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

CORAM:

JUSTICE S.K. SAHOO

Order No.

ORDER

18.05.2022

04.

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 Rairakhol P.S. Case No.179 of 2021 corresponding to G.R. Case No. 495 of 2021 pending in the Court of learned S.D.J.M., Sambalpur for commission of alleged offence under section 307/34 of the Indian Penal Code.

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

Learned counsel for the State has produced the instruction received from the Sub-Inspector of Police of Rairakhol police station from which it appears that the injured Premananda Behera has sustained four injuries out of which three are simple in nature. He further submitted that the petitioner is having no criminal antecedents.

Learned counsel for the petitioner submitted that the F.I.R. has not been lodged against the present petitioner and it is specifically mentioned therein that it is the co-accused Lagan Bhanja, who assaulted on the head of the injured by means of a bhujali.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation and since no specific overt act has been alleged 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

PKSahoo