

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3593 of 2022

Balmika Behera

....

Petitioner

Mr.A.Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Arupananda Das,

Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

19.05.2022

Order No.

01. 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 Binika P.S. Case No.12 of 2022 corresponding to G.R. Case No. 13 of 2022 pending in the Court of learned J.M.F.C., Binika for commission of alleged offences under sections 147/148/341/294/307/506/323/34 of the Indian Penal Code.

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

Learned counsel for the State on instruction submitted that the injured Bharat Behera has sustained simple injuries.

Considering the submission made by the learned counsel for the petitioner that it is a case and counter case and there are no such materials to attract the ingredients of the offence under section 307 of the Indian Penal Code and the submission of the learned counsel for the State that the injured has sustained simple injuries, 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