

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

**ABLAPL No.3595 of 2022**

***Harash Behera***

***....***

***Petitioner***

*Mr.B.S. Das, 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 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 Baramba P.S. Case No.81 of 2022 corresponding to G.R. Case No.76 of 2022 pending in the Court of learned J.M.F.C., Baramba for alleged commission of offences under sections 341/294/323/307/34 of the Indian Penal Code.

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

Learned counsel for the petitioner submitted that the main allegation of assault is against the co-accused Naya Behera and there is no material to attract the ingredients of the offence under section 307 of the Indian Penal Code and there is background of civil dispute between the parties and therefore, the anticipatory bail application of the petitioner may be favourably considered.

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

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner and the fact that the main allegation of assault is against the co-accused Naya Behera, 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 such facts to the

Court 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

