

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4072 of 2022

Sanyasi Swain

....

Petitioner

Mr. B. Pr. Rath, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

26.08.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
4. The petitioner is seeking pre-arrest bail in connection with C.T. Case No.1124 of 2022, arising out of Nayapalli P.S. Case No.113 of 2022 pending in the court of learned S.D.J.M., Bhubaneswar for commission of offence punishable under Sections 341/294/323/325/307/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that the petitioner and the informant are belong to one family. He further submits that due to dispute scuffled between the parties as a result of which some injuries sustained by the injured. It is also submitted that the injuries sustained by the injured are simple in nature.
6. Considering the nature of allegation, gravity of offence and the

fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- II. While on bail, he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever; and
- III. he shall not default in attendance of the court during trial on each date of posting.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether injuries sustained by the injured are grievous in nature. In the event it is found that the injury is grievous in nature, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge

