

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 4074 of 2021

Dharmendra Dash ***Petitioner***

Mr.S.K. Dash, *Advocate*

-versus-

State of Odisha ***Opp. Party***

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

CORAM:

JUSTICE S.K. SAHOO

ORDER

23.03.2022

Order No.

03. 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 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.134 of 2021 arising out of Kamakhyanagar P.S. Case No. 77 of 2021 pending in the Court of learned S.D.J.M., Kamakhyanagar for alleged commission of offences under sections 341, 323, 354-B, 506, 507 of the Indian Penal Code.

Learned counsel for the petitioner submitted that the offences are triable by Magistrate and therefore,

the anticipatory bail application may be favourably considered.

Learned counsel for the State submitted that the injured in this case is one Sushree Bhavani Das who is the informant in the case and she has sustained simple injuries. He further placed the statement of the victim and opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the statement of the victim and the fact that the petitioner has been granted interim protection as per the order dated 12.04.2021 and there is no material that he has misutilized the terms and conditions of the interim order, the interim order dated 12.04.2021 is made absolute subject to condition that the petitioner shall not try to come in contact with the victim or tamper with the evidence in any manner. Violation of any of the conditions, the prosecuting agency is at liberty to seek appropriate relief for cancellation of bail.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge