

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4090 of 2021

Laxman Rana

....

Petitioner

Mr.S.R. Mohapatra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.J.P. Patra,

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

30.03.2022

Order No.

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 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Kishorenagar P.S. Case No. 29 of 2021 corresponding to G.R. Case No.188 of 2021 pending in the Court of learned S.D.J.M., Athamalik for the commission of the alleged offence punishable under section 307 of the Indian Penal Code.

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

Learned counsel for the petitioner submitted that the occurrence in question took place on 16.02.2021 and the F.I.R. was lodged on 04.03.2021 and there are no such materials to attract the ingredients of the offence under section

307 of the Indian Penal Code and therefore, the prayer for anticipatory bail of the petitioner may be favourably considered.

Learned counsel for the State, on the other hand, has produced the injury report of Ramu Rana, which indicates that the injured has sustained six injuries out of which one is grievous, which was in the abdomen region and other injuries were also incised wounds and the weapon of offence used in the commission of the offence was a 'bhujali'. The injury report filed by the learned counsel for the State is taken on record.

In view of the nature and gravity of accusation against the petitioner, while not inclining to grant anticipatory bail to the petitioner, liberty is granted to the petitioner to surrender and move for bail in the Court below within a period of four weeks from today in the event of which the learned Courts below shall dispose of the same in accordance with law. The case records shall be made available to the Courts concerned for disposal of the bail application.

The ABLAPL stands disposed of.

The interim order dated 12.04.2021 stands vacated.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo