

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4646 of 2022

Manaj Panda @ Manoj Panda **Petitioner**
Mr. B.K. Raj, Advocate

-versus-

State of Odisha **Opp. Party**
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.09.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing 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 G.R.(GN) No.54 of 2022, arising out of Chandanpur P.S. Case No.27 of 2022 pending in the court of learned Nayadhikari Grama Nayalaya, Puri for commission of offence punishable under Sections 341/326/307/34, I.P.C.
5. It is submitted learned counsel for the petitioner that one Dilu @ Dillip Maharana, who is the principal accused in this case, has assaulted the injured. So far as the present petitioner is concerned, it is alleged that he was present at the spot but, he has not participated in the assault and that he has not assaulted to anybody. It is further submitted by learned counsel for the petitioner that in the meantime,

charge-sheet has already been submitted in the case.

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 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. he shall not default in attendance of the court during trial on each date of posting; and
- III. while on bail, he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever.

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

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge