

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4857 of 2022

***Tusar Ranjan Pradhan @ Kanha @
Kanha Pradhan & another***

....

Petitioners

Mr. S.K. Bhanjadeo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashank Patra, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
23.08.2022**

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 341/324/307/294/506/34, I.P.C.
4. It is submitted by learned counsel for the Petitioners that both Petitioner and the Informant are known to each other. However, due to some misunderstanding, quarrel took place between two sides, as a result of which some persons injured. Further it is stated that the injuries sustained by the injured are simple in nature.

Learned counsel for the State on the other hand submits that though the injuries are simple in nature, but there is criminal antecedent against Petitioner No.2.

5. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned S.D.J.M., Bhubaneswar in C.T. Case No.1735 of 2022 corresponding to Mancheswar P.S. Case No.92 of 2022 within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case, but subject to the further following conditions –

(i) That, the Petitioners shall not indulge in similar offence again, while on bail;

(ii) They shall cooperate in the investigation by appearing before the I.O. as and when required;

(iii) They shall not threaten, terrorise, ill-treat, harass the Informant and his family members in any manner and shall not tamper with the prosecution evidence in any manner whatsoever;

(iv) They shall also appear before the learned trial court on each date fixed for trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

S.K.Parida

