

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5541 of 2022

Chandan Kumar Panda

....

Petitioner

Mr. Vivaswat Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Sitikant Mishra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

08.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 498-A/323/307/506/34, I.P.C.
4. Learned counsel for the Petitioners submits that, some of the co-accused persons have been released on bail by this Court in ABLAPL No.4345 of 2022 vide order dated 19.05.2022. Further it is submitted by him that there is no grievous injury caused to the victim.
5. Considering the nature of the allegation, gravity of the offence and facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the

event the Petitioner surrenders before the learned S.D.J.M., Keonjhar in G.R. Case No.373 of 2022 corresponding to Turumunga P.S. Case No.33 of 2022 within a period of three weeks from today, the Petitioner 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 verification of the Injury Report. In the event it is found that the injuries sustained by the victim are grievous in nature, then this bail order shall stand automatically revoked.

Further, while imposing conditions for bail, learned Magistrate shall also impose conditions that, while on bail, the Petitioner shall not threaten, terrorise, influence, ill-treat or harass the Informant, his family members or the prosecution witnesses in any manner whatsoever. Also, the Petitioner shall appear before the learned trial court on each date of trial, without fail.

Violation of any of the conditions shall entail cancellation of the 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