

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5549 of 2022

Tapas Kumar Behera* *Petitioner

Mr. S.K.Patnaik, Advocate

-versus-

State of Odisha* *Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
06.07.2022**

Order No.

02. 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 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with C.T. Case No.37 of 2022 arising out of Kuliana P.S. Case No.06 of 2022 pending in the Court of learned S.D.J.M., Baripada, Mayurbhanj for alleged commission of offences under sections 341/323/379/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State has produced the

written instruction received from the Inspector in-charge of Kuliana police station which reveals that the petitioner is having no criminal antecedent. The instruction further reveals that the injured is the informant in the case and he has sustained grievous injury. However, the statement of the injured indicates that he has attributed specific overt act against co-accused Krushna Chandra Haboda. The written instruction is taken on record.

Considering the submission made by the learned counsel for the respective parties, since the offences are triable by Magistrate and there is no specific overt act alleged against the petitioner, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall

entail cancellation of bail.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM

