

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 5704 of 2022

Priyadarsan Sahu

.... ***Petitioner***
Mr.D.K.Sahoo(1),*Advocate*

-versus-

State of Odisha

.... ***Opposite Party***
Mr.K.Gaya, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.06.2022

Order No.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
4. Learned counsel for the Petitioner submits that the case was initially registered under section 307 of the Indian Penal Code and subsequently the same has been turned to a case under section 302 of the Indian Penal Code.
5. It is submitted by the learned counsel for the Petitioner that the Petitioner is no way involved in the alleged occurrence and the entire allegation is against the brother of the present Petitioner and some unknown persons. He further submits that the Petitioner has been implicated in the present case due to some political rivalry with some local influential political leader.

6. On the other hand, learned Additional Standing Counsel opposes for grant of bail on the ground that it has not been ascertained as to who is the assailant, rather from the CC TV footage the pictures of the present Petitioner and his brother has been collected. However, the two assailants who have assaulted the deceased have not been ascertained. Learned Additional Standing Counsel expressed his apprehension that in the vent the Petitioner is extended with anticipatory bail, the same will affect the investigation of the case.

7. Considering the aforesaid facts and circumstances of the case and having considered the submissions made by the respective parties as well as the materials placed on record, this Court is not inclined to grant anticipatory bail to the Petitioner. However, it is directed that in the event the Petitioner surrenders before the learned S.D.J.M., Angul in G.R.Case No.554 of 2022 arising out of Bantala P.S.Case No.129 of 2022 and moves a bail application within a period of three weeks from today and an application for bail is moved, he shall be released on bail on such terms and conditions as the learned magistrate may deem just and proper with a further condition that the Petitioner shall appear before the concerned Police Station once in a week till submission of charge sheet.

8. The ABLAPL is accordingly disposed of.

9. Issue urgent certified copy of the order as per Rules.