

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6064 of 2022

Tofan Pradhan @ Tapan Pradhan Petitioners
& others

Mr. S.K.Dwibedi ,Advocate

-versus-

State of Odisha Opp. Party
Mr.S.Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.08.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioners that initially an F.I.R. has been lodged and thereafter the Petitioners were arrested for commission of offence under Sections 337,338/34 read with Section 25(10A)/27 of Arms Act. Subsequently they were released on bail. Charge Sheet was submitted under Sections 337, 338, 114/34 of the Indian Penal Code read with Section 25(1-A)/27 of the Arms Act. However, on a protest petition, a complaint case

was registered and the learned court below has been pleased to take cognizance under section 341,294,307,506/34 of the Indian Penal Code read with section 25 of the Arms Act vide order dated 05.10.2021. As such the Petitioners apprehend their arrest in connection with the present case. It is further submitted by the learned counsel for the Petitioners that due to accidental gunshot fire the injured sustained injury. However after treatment he has been discharged from the hospital and the injured is now hale and hearty. Further it is contended by the learned counsel for the Petitioners that the Petitioners do not have similar nature of criminal antecedents.

5. Considering the nature of allegations made, gravity of the offence and the fact of the case, I am not inclined to grant anticipatory bail to the Petitioners. However, it is directed that in the event the Petitioners surrender before the learned J.M.F.C., G.Udayagiri in I.C.C.case No.08 of 2021 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate with further condition that the Petitioners while on bail shall appear before the trial court on each and every date fixed.

6. Accordingly, the ABLAPL is disposed of.

7. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

