

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.6202 OF 2022

Chian @ Debasis Pani

.... ***Petitioner***
Mr. A.S. Paul, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S.K. Nayak, AGA.

CORAM:

MR. JUSTICE D.DASH

ORDER

18.07.2022

Order No.

02. 1. This matter is taken up through hybrid arrangement (physical/ virtual) mode.
2. This is the second journey of the Petitioner in filing this application under section-438 of the Cr.P.C. for his grant of bail in the event of his arrest in connection with Puri Town P.S. Case No.86 of 2022 corresponding to G.R. Case No. 552 of 2022 on the file of learned S.D.J.M., Puri running for alleged commission of offence under Section-341/294/323/506/385/387/34 of the IPC, for reconsideration of the prayer for grant of anticipatory bail in the event of his arrest in the above mentioned case.
3. Learned Counsel for the Petitioner submits that on the earlier occasion at the time of hearing, it being placed that the Petitioner has got criminal antecedent, this Court had refused to grant anticipatory bail to the Petitioner. He submits that in fact the Petitioner is having one more criminal case against him and that relates to an F.I.R. lodged on the very same day alleging an incident sometime before the present alleged incident and that F.I.R. was lodged by a close relation of the present informant. He submits that because of the political rivalry and to harass him, these two cases has been instituted against the Petitioner by narrating two incidents said to

have taken place at different time on the same day just to increase the number of criminal case against the Petitioner. He submits that on the earlier occasion all these facts having not been placed, the order has been passed. He submits that taking into account all these above in the other case; anticipatory bail has been granted to this Petitioner. He therefore, prays for reconsideration of the prayer for grant of anticipatory bail to the Petitioner.

4. Learned Counsel for the State does not dispute that beside present case one more criminal case the against the Petitioner has been running at the instance of a close relation of the informant in relation to an incident which had happened on that very same day. He however, opposes the move as there surfaces no such changing circumstances.

5. Considering the submissions and on going through the record including the order passed in ABLAPL No.3191 of 2022; while being inclined reconsider the prayer for grant of anticipatory bail to the Petitioner, it is directed that in the event the Petitioner surrenders before the Court in seisin of the case in the above mentioned case within three weeks hence and moves for his release on bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the said Court.

6. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**