

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6743 of 2022

Kunu @ Biplab Brahma

....

Petitioner

Mr. Debasis Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

16.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offences punishable under Sections 341/294/323/506, I.P.C. read with Section 25 of Arms Act.
4. Learned counsel for the Petitioner submits that, so far as the allegation made against the present Petitioner is concerned, only offence under Section 506, I.P.C. is non-bailable in nature. He further submits that there is no criminal antecedent against the present Petitioner.
5. Considering such submissions, seriousness and gravity of the offence as alleged and the facts of the case, although this Court is not inclined to grant anticipatory bail to the Petitioner, however it is

observed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Keonjhar in G.R. Case No.973 of 2022 corresponding to Keonjhar Town P.S. Case No.195 of 2022 within a period of three weeks from today, he 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 criminal antecedents against the Petitioner.

While imposing conditions for bail, learned Magistrate shall also impose conditions, whereby -

- (i) the Petitioner shall not threaten, terrorise, ill-treat or harass the Informant and her family members in any manner whatsoever.
- (ii) he shall cooperate in the investigation of the case by appearing regularly before the I.O. as and when required,
- (iii) he shall also appear before the learned trial court on each date of trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the petitioner.

- 6. The ABLAPL is disposed of accordingly.
- 7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge