

IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.7134 of 2022

Surendra Rahula @ Roula ***Petitioner***

Mr. R.S. Samal, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. S.S. Kanungo, Additional Government Advocate

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
14.7.2022

Order No.

01. 1. The matter is taken up through hybrid mode.
2. Heard Mr. R.S. Samal, learned counsel for the Petitioner and Mr. S.S. Kanungo, learned Additional Government Advocate.
3. This application under Section 438 Cr.P.C. has been filed by the petitioner, namely Surendra Rahula @ Roula apprehending arrest in connection with Ersama P.S. Case No.176 of 2022, corresponding to G.R. Case No.370 of 2022 of the Court of learned J.M.F.C., Ersama for offence under Sections 341/323/307/294/34 of the Indian Penal Code.
4. It is submitted on behalf of the Petitioner that concerning a civil dispute between the parties, this false case has been foisted against him though he was not present at the time of occurrence. It is further submitted that as per the injury report all the injuries are simple in nature and the Petitioner is a man aged about 81 years.

5. Upon hearing Mr. S.S. Kanungo, learned Additional Government Advocate and considering the nature of allegations against the Petitioner as well as the nature of injuries sustained by the victim, it is directed that in the event of arrest of the Petitioner in the aforesaid case, he shall be released on bail on such terms and conditions as the arresting officer may deem just and proper including the condition that, he shall cooperate with the investigation by appearing before the I.O. as and when directed.

6. The ABLAPL is accordingly disposed of.

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

(B.P. Routray)
Judge

M.K.Panda

