

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7142 of 2022

Abdul Gaffar @ Bafar Khan

..... Petitioner
Mr. A.K.Pandey ,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 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. It is submitted by the learned counsel for the Petitioner that the Petitioner is the lessee in respect of a sand quarry. It is further submitted by the learned counsel for the Petitioner that there was tussle between the informant and Petitioner group inside the quarry of the Petitioner as a result of which due to tussle some persons sustained injury. It is contended by the learned counsel for the Petitioner that the Petitioner has two numbers 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 Petitioner. However, it is directed that in the event the Petitioner surrenders before the learned J.M.F.C.(Rural), Cuttack in G.R.Case No.1445 of 2022 arising out of Kissannagar P.S.Case No.89 of 2022 within a period of three weeks from today and moves for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate and subject to verification of injury and criminal antecedents of similar nature against the petitioner. In the event it is found that the Petitioner has more than two criminal antecedents, then this order shall stand revoked. Further, it is directed that the Petitioner while on bail shall cooperate with the investigation and appear before the I.O. as and when required for the purpose of investigation till conclusion of investigation and after conclusion of investigation, the Petitioner shall appear before the court below on each and every date fixed till completion of trial. Violation of any conditions shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge