

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7402 of 2022

Prafulla Mahanandia

..... Petitioner

Mr. P.K. Nanda, Advocate

-versus-

State of Odisha

..... Opposite Party

Mr. M.K. Mohnanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.09.2022

Order No.

03.

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. Perused the F.I.R., case diary and other relevant documents as well as statement of the witnesses.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The petitioner is an accused in G.R. Case No.776 of 2022 arising out of Bhasma P.S Case No.108 of 2022 pending in the court of learned S.D.J.M., Sundargarh for commission of offence punishable under Sections 341/323/307/498-A/506, I.P.C.
5. It is submitted by learned counsel for the petitioner that the injuries sustained by the injured are simple in nature.
6. Considering the nature of allegation, gravity of 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 and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- II. he shall not default in attendance of the court during trial on each date of posting;
- III. while on bail, he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever; and
- IV. he shall also look after well being by the petitioner and shall provide maintenance in sustenance of the informant-wife while on bail.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge