

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7438 of 2022

Hrusi Kesh Nayak @ Habuli Nayak ***Petitioner***
Mr. Sanjay Kumar Behera, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. S. Patra, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
20.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing 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 451/294/323/379/427/506/34, I.P.C.
4. It is submitted by learned counsel for the Petitioner that, one Gudu Nayak snatched away the gold chain from the neck of the mother-in-law of the Informant. Further it is stated that the injuries are simple in nature. Learned counsel for the Petitioner further submits that due to previous enmity in the Gram-Panchayat Election, the Petitioner has been falsely implicated in the present case.
5. Considering the aforesaid submissions, nature of allegation, gravity of the offence and the facts of the case, I am not inclined to

grant anticipatory bail to the Petitioner. However, it is observed that, in the event the Petitioner surrender before the learned J.M.F.C., (P), Kujanga in G.R. Case No.519 of 2022 corresponding to Paradeep Lock P.S. Case No.150/202 of 2022 within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper, subject to verification of the injury report, subject to the further conditions that the Petitioner shall not cause any further disturbance in the locality in any manner while on bail by virtue of this order. Violation of any of the conditions shall entail cancellation of the bail and the learned court in seisin over the matter shall take any coercive action against the Petitioner as per law.

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

(A.K. Mohapatra)
Judge