

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7586 of 2022

Debaraj Nayak

Petitioner

Mr. S.C. Mohapatra, Advocate

-versus-

State of Odisha

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.07.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.

3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.

4. The petitioner seeking pre-arrest bail in connection with G.R. Case No.1567 of 2022, arising out of Govindpur P.S. Case No.89 of 2022 pending in the court of learned J.M.F.C. (R), Cuttack for commission of offence punishable under Sections 341/294/323/324/307/34, I.P.C.

5. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. It is further submitted by learned counsel for the petitioner that so far as allegation is concerned. It is also submitted that the petitioner assaulted the victim by kick blows and therefore, there is no offence under Section 307, I.P.C. is made out against the petitioner.

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 surrender 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.

7. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

