

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7603 of 2022

S. Bhaskar @ Salina Debendra ***Petitioner***
Mr. Chandan Samantaray, Advocate

-versus-

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

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
01.08.2022

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 offence punishable under Sections 341/323/325/427/307/379/506/34, I.P.C.
4. Learned counsel for the Petitioner submits that the injuries are simple in nature. He further submits that the Petitioner does not have any criminal antecedent. It is also stated that there is case and counter case against the parties and the present case is a counterblast to the case filed by the Petitioner against the Informant. He further submits that in the meantime all the co-accused persons have been released on bail.

4. Considering the nature of allegation, gravity of the offence and facts of the case, although 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., Patrapur in G.R. Case No.270 of 2021 corresponding to Jarada P.S. Case No.192 of 2021 within a period of three weeks from today, the Petitioner shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case, but subject to verification of criminal antecedents of the Petitioner. If it is found that there is more than two criminal antecedents of similar nature against the Petitioners, then this bail order shall not be given effect to.

5. The ABLAPL is disposed of accordingly.

6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge