

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.7715 of 2022**

***Dushasan Baral***

***Petitioner***

*....*  
*Mr. B. Pr. Mohanty, Advocate*

*-versus-*

***State of Odisha***

***Opp. Party***

*....*  
*Mr. S. Mishra, 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.302 of 2022, arising out of Bramhagiri P.S. Case No.149 of 2022 pending in the court of learned Gram Nyalaya, Brahmagiri for commission of offence punishable under Sections 294/323/354/506, I.P.C.
5. It is submitted by learned counsel for the petitioner that the petitioner is brother-in-law of the informant. Further, it is contended that due to civil dispute between parties, the present case has been foisted against the petitioner. Moreover, it is submitted by learned counsel for the petitioner that the informant has not sustained any injury as has been alleged in the F.I.R. and also no case is made out

under Section 354, I.P.C. 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

