

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7717 of 2022

Kamalakanta Nayak and another ***Petitioners***
Mr. S.K. Jena, Advocate

-versus-

State of Odisha ***Opp. Parties***
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 petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners seeking pre-arrest bail in connection with C.T. Case No.220 of 2022, arising out of Oupada P.S. Case No.30 of 2022 pending in the court of learned S.D.J.M., Nilagiri 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 petitioners that the petitioners have been falsely implicated in the present case and they have no criminal antecedents. It is further submitted by learned counsel for the petitioners that the present petitioners were instigated the principal accused to assault the informant. It is also submitted that the injuries sustained by the injured are simple in nature.
6. As per injury report, the injured sustained by the injuries 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 petitioners. However, it is directed that in the event the petitioners surrender before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that they shall not involve in any similar type of offences while released on bail.

7. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

