

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7753 of 2022

Kosinga Damba @ K.Damba

..... Petitioner
Mr.S.C.Ray(2), Advocate

-versus-

State of Odisha

..... Opp.Party
Mr.P.C.Das, 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 the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
4. Learned counsel for the Petitioner submits that one K.Duryodhan, who is the principal assailant, had assaulted the injured by means of sprite bottle and thereafter again he assaulted by means of wooden stick. The only allegation against the Petitioner is that he was present at the spot and threatened the friends of the injured. There is no allegation of any assault so far as the Petitioner is concerned.
5. Considering the nature of allegations made, gravity of the 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 surrenders before the learned S.D.J.M., Gunupur in G.R.Case No.247 of 2022 arising out of Padmapur P.S.Case No.76 of 2022 within a period of three weeks from today and moves for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate.

6. The ABLAPL is accordingly disposed of.
7. Issue urgent certified copy of the order as per Rules.

RKS

