

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7884 of 2022

Bijay Sil @ Bijay Shil

.... ***Petitioner***
Mr. R.K. Sahu, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.07.2022

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.289 of 2022, arising out of Kalimela P.S. Case No.147 of 2022 pending in the court of learned J.M.F.C., Motu for commission of offence punishable under Sections 498-A/323/313/307/294/506/34, I.P.C. read with Section 4 of the D.P. Act.
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 the petitioner pressed her neck and there is no injury on the part of the victim.
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 with further condition that petitioner shall not harass, torture, threaten or terrorize the informant and her family members in any manner whatsoever.

7. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether injuries sustained by the injured are grievous in nature or simple in nature. In the event it is found that the injury is grievous in nature, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

