

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8066 of 2022

Kuna Swain

....

Petitioner

Mr. Biswaranjan Dalai, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

16.08.2022

Order No.

02. **I.A. No.1040 of 2022**

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsels for the Petitioner and learned Addl. Standing Counsel for the State.
3. Considering the submissions of learned counsel for the Petitioner, order dated 26.07.2022 passed in ABLAPL No.8066 of 2022 is hereby recalled, and the following order is passed afresh :-
4. Petitioner has filed the ABLAPL under Section 438, Cr.P.C. for anticipatory bail in the case involving offence under Sections 328/341/323/325/394/506/34, I.P.C.
5. Taking into consideration 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 surrenders and moves for bail before the learned

S.D.J.M., Jagatsinghpur in G.R. Case No.712 of 2022 corresponding to Balikuda P.S. Case No.215 of 2022 within a period of three weeks from today, he 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 Injury Report. In the event it is found that the injuries caused to the victim are grievous in nature, then this bail order shall automatically stand revoked.

6. The ABLAPL and the I.A. are disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

S.K.Parida

