

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8070 of 2022

Bijay Patta

....

Petitioner

Mr. Akshaya Kumar Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Rout, A.G.A.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

28.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Govt. Advocate for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offences punishable under Sections 341/323/506/307/427, I.P.C.
4. Learned counsel for the Petitioner submits that the injuries sustained by the victim are simple in nature. He further submits that the present Petitioner has also sustained injury in the alleged incident. He also submits that the petitioner has no similar nature of criminal antecedents.
5. Considering the aforesaid submissions, 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 before the learned J.M.F.C., Memgiri in G.R. Case No.47 of 2022 corresponding to Hemgiri P.S. Case No.173 of 2022 within a period of three weeks from today, the Petitioner 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 the Injury Report and Criminal Antecedents of the Petitioner. If it is found that the injuries caused to the victim are grievous in nature or there is more than two Criminal Antecedents of similar nature against the Petitioner, then this bail order shall not be given effect to.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge