

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8214 of 2022

Arata Behera

....

Petitioner

Mr. Amitav Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

26.07.2022

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. Standing Counsel 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 341/294/506, I.P.C. and Sections 25 & 27 of the Arms Act.
4. Learned counsel for the Petitioner submits that there was previous enmity between the Petitioner's group and Informant's group. Further, some of the members of the Informant's group have been convicted in murder case. The present case has been filed by the Informant's group and registered against the Petitioner's group.
5. Considering the gravity and seriousness of the allegation made in the F.I.R. and the 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 S.D.J.M., Nayagarh in G.R. Case No.431 of 2022 corresponding to Itamati P.S. Case No.137 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. While imposing the conditions for bail, learned Magistrate shall also add condition whereby the Petitioner shall be asked not to indulge in any other similar criminal activities and he shall not threaten, terrorize or harass the prosecution witness including the informant in any manner whatsoever. Violation of any of the above conditions shall entail cancellation of the bail of the Petitioner.

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

(A.K. Mohapatra)
Judge