

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8231 of 2022

Nirmal @ Nirmal Chandra Rout ***Petitioner***
Mr. J. Mohanty, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

27.07.2022

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 is seeking pre-arrest bail in connection with C.T. Case No.769 of 2022, arising out of Jakhapura P.S. Case No.65 of 2022 pending in the court of learned J.M.F.C., Jajpur Road for commission of offence punishable under Sections 341/323/324/307/427/34, I.P.C.
5. It is submitted learned counsel for the petitioner that the petitioner not named in the F.I.R. and he has been implicated in the present case basing on the statement of the co-accused persons, who have been apprehended by the Jakhapura police. It is further submitted that the injuries sustained by the injured are simple in nature and the injuries are not attributed by the present petitioner.

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 his/her family members in any manner whatsoever.

It is open for the court in seisin over the matter to impose other conditions as may be deemed just and proper.

Violation of any of the terms and conditions shall entail cancellation of bail granted to the petitioners.

8. Accordingly, the ABLAPL is disposed of.

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

