

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8269 of 2022

Prasant Kumar Nayak

....

Petitioner

Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha

....

Opposite Party

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

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 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 341/342/364/365/506/34, I.P.C. and Section 25 of the Arms Act.
4. It is submitted by learned counsel for the Petitioner that one Prahallad is the principal accused in this case. So far as the present Petitioner is concerned, he has been named by said Prahallad in his statement recorded under Section 161, Cr.P.C. So far as the present Petitioner is concerned, the only allegation against him is on the basis of that 161, Cr.P.C. statement, where the principal accused Lipton Khura has stated that Prasant was present at the spot.

5. Considering such submissions and taking into consideration the nature of allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioner surrenders before the learned J.M.F.C., Borigumma in G.R. Case No.622 of 2019 corresponding to Borigumma P.S. Case No.1543 of 2019 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.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge