

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8357 of 2022

Subash Chandra Behera ***Petitioner***
Mr. M.K. Mohapatro, Advocate
State of Odisha ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.
-versus-

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 G.R. Case No.302 of 2022, arising out of Handapa P.S. Case No.77 of 2022 pending in the court of learned S.D.J.M., Athamallik for commission of offence punishable under Sections 450/323/307/34, I.P.C.
5. It is submitted learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. It is submitted that the injured sustained injuries are simple in nature.
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.

7. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether injuries sustained by the injured are grievous in nature or simple in nature. In the event it is found that the injury is grievous in nature, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

