

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8571 of 2022

Gagan Barad

....

Petitioner

Mr. Dasarathi Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashank Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

29.07.2022

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 offence punishable under Sections 341/323/325/307/34, I.P.C.
4. It is submitted by learned counsel for the Petitioners that, co-accused persons namely Gagan Barad and Lipan @ Chittaranjan Prusty have been released on bail by the learned J.M.F.C., Bhapur in G.R. Case No.62 of 2022 dated 07.06.2022. Further, while releasing these two co-accused-petitioners, the learned court below has observed that there is no prima facie material under Section 307, I.P.C. against them. Also it has been observed that the parties have compromised the matter among them in the meantime.

5. Considering the 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 SJ.M.F.C., Bhapur in G.R. Case No.62 of 2022 corresponding to Fategarh P.S. Case No.62 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.

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

