

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8636 of 2022

Madhaba Bagarty

....

Petitioner

Mr. Jayaeva Behera, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Sitikanta Mishra, 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 the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioner that the offence as alleged in the F.I.R. does not prima facie make out against the present Petitioner. It is also submitted by the learned counsel for the Petitioner that the victim sustained simple injury and also there is also no specific allegation against the Petitioner.
5. Considering the nature of allegations made in the F.I.R., gravity of the 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 surrenders before the learned S.D.J.M.,

Bolangir in G.R.Case No.648 of 2022 arising out of Bolangir Town P.S.Case No.210 of 2022 within a period of three weeks from today and moves for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate and subject to verification of injury.

6. The ABLAPL is accordingly disposed of.
7. Issue urgent certified copy of the order as per Rules.

(A.K. Mohapatra)
Judge

RKS

