

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8790 of 2022

Santosh Patra

....

Petitioner

Mr. Jajati Keshari Khuntia, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashank Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

01.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 341/294/323/307/506/379/34, I.P.C.
4. 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 surrender before the learned S.D.J.M., Balasore in C.T. Case No.590 of 2022 corresponding to Sahadevkhunta P.S Case No.201 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, but subject to verification of criminal

antecedents of similar nature against the Petitioner as well as subject to verification of injury report. If it is found that there are more than two criminal antecedents of similar nature against the Petitioners, then this bail order shall not be given effect to. Similarly, if the injuries caused to the victim are found to be grievous in nature, then also this bail order shall not be given effect to.

Further, while imposing conditions for bail, learned Magistrate shall also impose condition whereby the Petitioners shall not indulge in such type of criminal activities again.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. The ABLAPL is disposed of accordingly.
6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge