

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9129 of 2022

Santosh Behera

....

Petitioner

Mr. Santosh Chandra Atabudhi,
Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K.Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

04.08.2022

Order No.

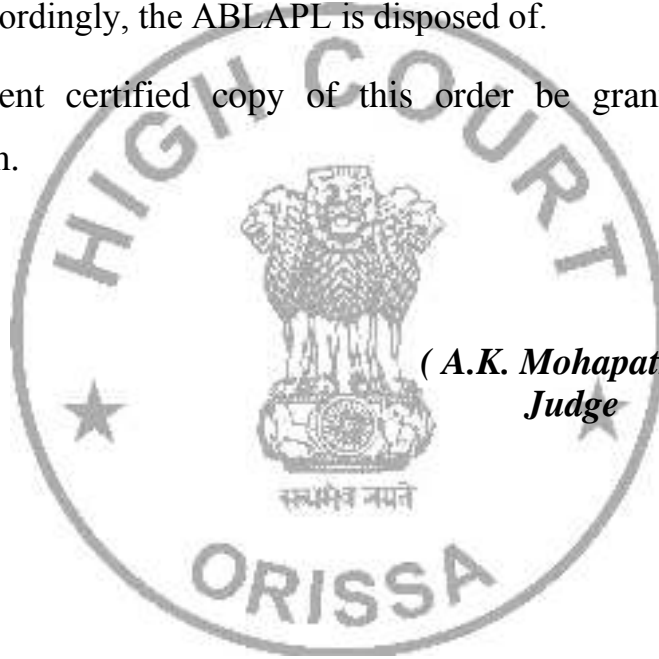
- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. On oral prayer of the learned counsel for the Petitioner, he is permitted to change the nomenclature of the case in court today.
 3. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
 4. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
 5. It is submitted by the learned counsel for the Petitioner that the elder father of the Petitioner and the informant are well known to each other from childhood. It is also submitted by the learned counsel for the Petitioner that due to construction of house of the Petitioner, some house materials are taking space towards road and there is no obstruction to the road.
 6. Considering the nature of allegations made, 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., Bhubaneswar in C.T.Case No.3848 of 2022 arising out of Khandagiri P.S.Case No.332 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. It is also directed that the petitioner shall not threaten, influence, terrorise, harass the informant and his family members in any manner. Violation of condition shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

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

(*A.K. Mohapatra*)
Judge



RKS