

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9155 of 2022

Swarup Mahanandia

....

Petitioner

Mr. Prabir Kumar Ray, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

25.08.2022

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 341/294/323/307/506/34, I.P.C.
4. Learned counsel for the Petitioners submits that in the F.I.R. there is no direct allegation of any assault by the present Petitioner.
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 and moves for bail before the learned S.D.J.M., Koraput in G.R. Case No.442 of 2022 corresponding to Damanjodi P.S. Case No.56 of 2022 within a period of three weeks from today,

he 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 against the Petitioner. If it is found that there is more than one criminal antecedent of similar nature against the Petitioner, then this bail order shall automatically stand revoked.

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

(A.K. Mohapatra)
Judge



S.K.Parida