

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9731 of 2022

Lambodar Das

....

Petitioner

Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Sitikant Mishra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

16.08.2022

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 341/323/307/34, I.P.C.
4. It is stated by learned counsel for the Petitioner that accused Jagabandhu Das and Nabin Das are the principal accused, who assaulted the injured-victim by means of a sharp-cutting blade, as a result of which the injured sustained bleeding injuries. He further submits that, so far as the present Petitioner is concerned, it is alleged in the F.I.R. that he gave a push to the injured from his back, for which he fell down. Therefore, he submits that, offence under Section 307, I.P.C. is not made out against the present Petitioner.

5. Considering such submission, 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 J.M.F.C., Purushottampur in G.R. Case No.388 of 2022 corresponding to Purushottampur P.S. Case No.414 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.

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

