

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9909 of 2022

***Bijaya Nanda Pattnaik @ Biju &
another***

.... ***Petitioners***

Mr. Amlan Shakti Paul, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

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

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
22.08.2022**

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 341/323/307/34, I.P.C.
4. Learned counsel for the Petitioner submits that the present F.I.R. has been lodged out of the accident took place between the Petitioner's vehicle and the Informant's vehicle. He further submits that the Petitioner does not have any criminal antecedent of similar nature and the injuries sustained by the injured are simple in nature.
5. Considering the aforesaid submissions, seriousness of the 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., Angul in G.R. Case No.1062 of 2022 corresponding to Angul P.S. Case No.391 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 Antecedent of the Petitioner as well as verification of Injury Report. If it is found that there is more than one criminal antecedent of similar nature against the Petitioner, then this bail order shall stand revoked automatically. Similarly, if the injuries caused to the injured are found to be serious in nature, then also this bail order shall stand revoked automatically.

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

(A.K. Mohapatra)
Judge