

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10007 of 2022

Bikash Kumar Bhutia

....

Petitioner

Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

23.08.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
 3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
 4. The petitioner is seeking pre-arrest bail in connection with C.T. Case No.769 of 2022, arising out of Jakhapura P.S. Case No.65 of 2022 pending in the court of learned J.M.F.C., Jajpur Road for commission of offence punishable under Sections 341/323/324/307/427/34, I.P.C.
 5. It is submitted by learned counsel for the petitioner that due to previous dispute between the two groups as a result of which there is a case and counter case has been filed by either side. Learned counsel for the petitioner further submits that the injuries sustained by the injured are simple in nature.
 6. Considering the nature of allegation, gravity of 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 court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. Petitioner shall not harass, torture, threaten or terrorize the informant and his/her family members in any manner whatsoever while on bail;
- II. he shall not indulge in similar nature of criminal activities while on bail; and
- III. he shall not tamper with the prosecution witnesses in any manner whatsoever.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge