

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10258 of 2022

Banti @ Moondeep Tirkey ***Petitioner***
Mr. M.K. Mohapatra, Advocate
State of Odisha ***Opp. Party***
Mr. S. Mishra, A.S.C.
-versus-

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
30.08.2022

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.883 of 2022, arising out of Bhawanipatna Town P.S. Case No.332 of 2022 pending in the court of learned S.D.J.M., Bhawanipatna for commission of offence punishable under Sections 294/341/323/186/353/332/427/307/511/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that the petitioner is young boy and also he is a student. It is further submitted by learned counsel for the petitioner that the injuries sustained by the injured are simple in nature and also he does not have any criminal antecedents.

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 and moves an application for bail 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.

7. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether the petitioner has any criminal antecedents of similar nature. In the event it is found that the petitioner has any criminal antecedents of similar nature, this bail order shall automatically stand revoked.

8. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether injuries sustained by the injured are grievous in nature. In the event it is found that the injury is grievous in nature, this bail order shall automatically stand revoked.

9. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge