

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10259 of 2022

<i>Sahadev Naik @ Sahadeba Naik</i>		<i>Petitioner</i>
		<i>Mr. S. Panda, Advocate</i>
	-versus-	
<i>State of Odisha</i>		<i>Opp. Party</i>
		<i>Mr. S. Mishra, A.S.C.</i>

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. Learned counsel for the petitioner is permitted to make necessary correction in the cause title of the bail application in Court today.
3. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
4. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
5. The petitioner is seeking pre-arrest bail in connection with C.T. Case No.274 of 2022, arising out of Jaipatna P.S. Case No.282 of 2022 pending in the court of learned J.M.F.C., Jaipatna for commission of offence punishable under Sections 307/506/34, I.P.C.
6. It is submitted by learned counsel for the petitioner that the cousin sister of the informant married to the petitioner as per customary rituals but due to some discord between the couple for

which a village meeting was convened to resolve the dispute. However, it is alleged that the petitioner along with another, namely, Suresh Majhi were tried to pour petrol. It is further submitted by learned counsel for the petitioner that the injured sustained some injuries.

7. 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 with further conditions that :-

- I. The petitioner shall cooperate with the Investigating Officer and when required for the purpose of investigation;
- II. he shall not default in attendance of the court during trial on each date of posting; and
- III. while on bail, he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever;

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

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

Jagabandhu

