

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10597 of 2022

***Ashok Kumar Ransingh @ Manguli
Ransingh***

....

Petitioner

Mr. Jitendra Samantaray, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, A.S.C.

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

**ORDER
06.09.2022**

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 147/148/294/307/379/427/506/149, I.P.C.
4. Learned counsel for the Petitioner submits that one Sanjay Samantaray and Hatia Ransingh are the principal accused, against whom there is allegation of assault, as a result of which the injured sustained injuries. So far as the present Petitioner is concerned, it is stated that he has not assaulted anybody, although he was present at the spot.

5. Learned counsel for the State on the other hand submits that although the case was initially registered under Section 307, I.P.C., but he has no information whether the same has been converted to one under Section 302, I.P.C. or not.

6. Considering such submissions and further taking into consideration the fact that this is a case of the year 2012 and seriousness of the allegation, 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., Khurda in G.R. Case No.786 of 2012 corresponding to Khurda Sadar P.S. Case No.123 of 2012 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 the fact that the case has not been turned to one under Section 302, I.P.C. If it is found that the case has been turned to one under Section 302, I.P.C., then this bail order shall stand automatically revoked.

7. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge