

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.10818 of 2022**

***Kunja Bihari Mohapatra***

....

***Petitioner***

*Mr. Tukuna Kumar Mishra, Advocate*

*-versus-*

***State of Odisha***

....

***Opposite Party***

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

**CORAM:**

**JUSTICE A.K.MOHAPATRA**

**ORDER**  
**12.09.2022**

**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 451/294/354/506, I.P.C.
4. It is submitted by learned counsel for the Petitioner that there is previous dispute between the parties, as a result of which scuffle took place. Thereafter, case and counter case have been filed by both sides.
5. Considering such submission, seriousness of the allegation, gravity of the offence and the 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., Jeypore in G.R. Case No.892 of 2022 corresponding to Jeypore Town P.S. Case No.215 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 the condition that, while on bail, the Petitioner shall not threate, terrorise, ill-treat, harass or influence the Informant and his family members so also the prosecution witnesses in any manner whatsoever.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

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

(A.K. Mohapatra)  
*Judge*