

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10881 of 2022

Jyoti Prakash Nayak @ Sipuni ***Petitioner***
Nayak @ Sipu

Mr. Santosh Kumar Mohanty, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr.S.Patra, Advocate.

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 the learned Additional Standing Counsel. Perused the records.
3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
4. It is submitted by the learned counsel for the Petitioner that co-accused Mahendra Sahani has already been released on bail by this court in ABLAPL No.8803 of 2022 vide order dated 02.08.2022. Further, it is submitted that the Petitioner was only present and did not participate in the assault.
5. Considering the nature of allegations and gravity of the offence and the facts 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 J.M.F.C., Salipur in

G.R.Case No.573 of 2022 arising out of Mahanga P.S.Case No.159 of 2022 within a period of three weeks from today and moves for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate, but subject to verification of criminal antecedents of similar nature against the Petitioner.

6. Accordingly, the ABLAPL is disposed of.
7. Issue urgent certified copy of this order as per Rules.

RKS

