

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11020 of 2022

***Dharmapada Das @ Bulu and
others***

....

Petitioners

*Mr. Ashok Kumar Sahoo, Advocate
-versus-*

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned 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 G.R. Case No.1776 of 2022, arising out of Marsaghai P.S. Case No.335 of 2022 pending in the court of learned S.D.J.M., Kendrapara for commission of offences punishable under Sections 341/323/307/379/506/34, I.P.C.
5. Learned counsel for the petitioner that the only allegation against the petitioner is that on the direction of the petitioner other co-accused persons have assaulted the injured. He further submits that the injuries sustained by the injured are simple in nature.
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 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 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.

8. Accordingly, the ABLAPL is disposed of.

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

