

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11377 of 2022

Sudhir Charan Sabat

....

Petitioner

Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

16.09.2022

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 the Petitioner has not been named in the F.I.R. It is further submitted by the learned counsel for the Petitioner that the investigation has been completed and charge sheet has been filed. It is further submitted by the learned counsel for the Petitioner that co-accused person has already been released on bail in ABLAPL No.12529 of 2021 by order dated 27.04.2022. On perusal of the order which has been annexed to the bail application, it appears that the injured Kishan Behera, Susant

Das have sustained simple injuries, but so far as injured Suresh Behera is concerned, it was observed that there was swelling injury and stitched wound on his neck but the nature of injury has not been mentioned in the outdoor ticket.

5. Considering the nature of allegations made, 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., Digapahandi in G.R.Case no.288 of 2021 arising out of Digapahandi P.S.Case No.232 of 2021 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. It is made clear that the case and criminal antecedents of the Petitioner be made available on the date of surrender.

6. Accordingly, the ABLAPL is disposed of.

7. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge