

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11393 of 2022

Pratik Pattajoshi

....

Petitioner

Mr. B.S. Dasparida, Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

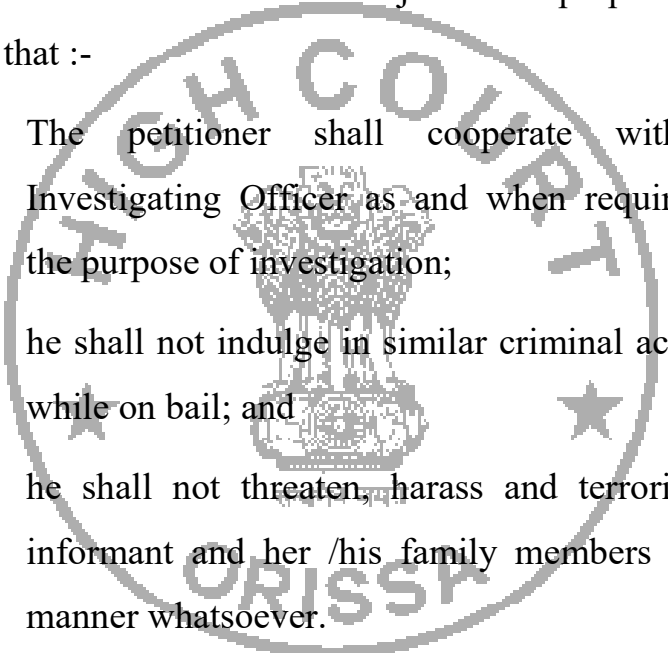
14.10.2022

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.554 of 2022, arising out of Jatni P.S. Case No.318 of 2022 pending in the court of learned J.M.F.C., Jatni for commission of offences punishable under Sections 341/294/506/324/307/34, I.P.C. read with Sections 25 and 27 of the Arms Act.
5. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He further submits that so far the allegation of assaulted is concerned, one Dhiru Pattajoshi assaulted the injured by means of sword as a result of which the injured sustained grievous injury on his hand. So far as the present petitioner is concerned, there is no allegation of assault.

Further, it is submitted by learned counsel for the petitioner the petitioner is an Engineer by profession and he does not have any criminal antecedents.

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 an 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 with further conditions that :-

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- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
 - II. he shall not indulge in similar criminal activities while on bail; and
 - III. he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever.

Violation of any of the terms and conditions shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge