

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11893 of 2022

Tapas Moharana

Petitioner

....

Mr.P.S.Nayak, Advocate

-versus-

State of Odisha

....

Opposite Party

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

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
22.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the for anticipatory bail, involving offence punishable under Sections 341, 323, 324, 307, 506/34 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner and the informant belong to one family. There was a dispute amongst the family members, as a result of which a scuffle took place. Therefore, case and counter case has been filed by either side. It is further submitted by the learned counsel for the Petitioner that the matter has been compromised between the family members.
5. Considering the 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., Angul in G.R.Case No.968 of 2022 arising out of Bantala P.S.Case No.242 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.

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

(A.K. Mohapatra)
Judge



RKS