

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11911 of 2022

Sayed Noor Mahammed

Petitioner

....
Mr. A.N.Samantaray, 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 Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 323,324,326/34 of the Indian Penal Code and Section 25/27 of the Arms Act.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner has not been named in the F.I.R..Further, it is submitted by the learned counsel for the Petitioner that the Petitioner is no way connected with the present crime. He also submits that the Petitioner does not have any criminal antecedents.
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 J.M.F.C., Raghunathpur in G.R.Case No.154 of 2022 corresponding to Raghunathpur P.S. Case No.158 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, but subject to verification of criminal antecedents of similar nature.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) He shall not threaten, influence, terroise or harass the informant and his family members in any manner whatsoever;
- (iii) He shall appear before the trial court on each and every date fixed.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

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

(A.K. Mohapatra)
Judge