

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11981 of 2022

Soli Dalei @ Sulochana Dalei ***Petitioner***
Mr. S.K. Bhanjadeo, Advocate
-versus-
State of Odisha ***Opp. Party***
Mr. S. Patra, 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 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.792 of 2022, arising out of Khallikote P.S. Case No.334 of 2022 pending in the court of learned J.M.F.C., Khallikote for commission of offences punishable under Sections 452/307/324/326/506/34, I.P.C. read with Sections 25(1-B)/27 of the Arms Act.
5. It is submitted by learned counsel for the petitioner that there is a dispute between the petitioner and informant as a result scuffled took place between the two families. It is further submitted that the son of the petitioner, namely, Suraj Dalei assaulted the son of the informant by gun shot as a result of which the injured sustain injury. So far as the present petitioner is concerned, he was standing at the spot and intimidated the informant and her family members.

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:-

- 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 nature of 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.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge