

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12742 of 2022

China Samal

Petitioner

....
Mr. Sunil Ku. Panda, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

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

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

**ORDER
13.10.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the Petitioner in connection with Nihalprasad P.S.Case No.25 of 2022 corresponding to G.R.Case No.47 of 2022 pending in the court of the learned J.M.F.C., Gondia for commission of alleged offence under section 307/34 of the Indian Penal Code.
4. Perused the F.I.R. annexed to the anticipatory bail application.
5. Learned counsel for the State on instruction has submitted that the injury sustained by the injured is simple in nature.
6. Considering the nature of accusation against the Petitioner and the fact that there are no such materials to attract the ingredients

of the offence under section 307 of the Indian Penal Code and taking into account the nature of injury sustained by the injured, I am inclined to release the Petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the Petitioner in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing any facts to the courts or to the Investigating Officer. Release of the Petitioner shall also be subject to verification of criminal antecedents of similar nature.

7. Violation of any of the above conditions shall entail cancellation of bail.
8. The ABLAPL is accordingly disposed of.
9. Issue urgent certified copy as per Rules.

(A.K. Mohapatra)
Judge

RKS