

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12746 of 2022

Narayan Nahak

Petitioner

....
Mr.Manoranjan Acharya, Advocate

-versus-

State of Odisha

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

Mr.S.Patra, A.S.C.

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

**ORDER
12.10.2022**

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 341, 294, 323, 324, 325, 326, 307, 379, 506/34 of the Indian Penal Code.
4. 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., Odagaon in G.R.Case No.195 of 2016 arising out of Odagaon P.S.Case No.92 of 2016 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 injury criminal antecedents of similar nature. Case Diary and Injury Report be made available before the learned court below on the date of surrender.

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

- (i) The Petitioner shall appear before the trial court on each and every date fixed;
- (ii) He shall not tamper with the prosecution evidence and shall not threaten, influence or terrorise the prosecution witnesses in any manner whatsoever.

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

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

(A.K. Mohapatra)
Judge