

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13137 of 2022

Sushila Kumar Sahu @ Sushil Sahu ***Petitioner***

Mr. J.K. Panda, Advocate

-versus-

State of Odisha

Opp. Party

Mr. S.Patra, 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 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.426 of 2022, arising out of Parjanga P.S. Case No.446 of 2022 pending in the court of learned J.M.F.C., Parjanga for commission of offences punishable under Sections 341/294/323/307/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that the allegation of assault is made out against the principal accused persons, namely, Raju Sahu and Biju Sahu. It is further submitted by learned counsel for the petitioner that the petitioner assisted the principal accused persons and abused the informant in filthy languages. Further, it is submitted by learned counsel for the

petitioner that the petitioner does not have any criminal antecedents.

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; and
- II. he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever; and
- III. he shall not indulge in similar criminal activities while on bail.

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