

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14244 of 2022

Pravakar Sahoo

....

Petitioner

Mr. Basanta Kuamr Das, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S. Patra, ASC

Mr. Ajay Kumar Moharana, Advocate for Informant

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
20.12.2022**

Order No.

- 05.
1. Heard learned counsel for the Petitioner and the State.
 2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences under Sections 326/307 of IPC.
 3. It is submitted by learned counsel for the Petitioner that the injuries appearing on the injured is simple in nature and can at best be attracted the provisions under section 323 of IPC and as such the present Petitioner may be considered the pre-arrest bail.
 4. Learned counsel appearing on behalf of the Informant on the contrary submitted that the injury report though discloses the nature of injury to be simple but in the opinion of the doctor there is risk involving to the life of the injured.

5. Learned counsel for the State also scribes the same. Admittedly, the offences alleged against the Petitioner are under section 326 and 307 of IPC.

6. Keeping in view the submission of the parties, the medical report and overall facts and circumstances of the case, admittedly the injured sustained a born injury to the extent of 20% even if the injured discharged the wound requires regular dressing and utmost care not to get infected. The very tenor of the overt act of the Petitioner in throwing the hot oil on the body of the Informant speaks of his intention and more fact that the injuries are simple does not affect the overall circumstances with which the intention the crime is committed, this court is not inclined to grant anticipatory bail to the Petitioner. Accordingly the prayer for bail stands rejected and the ABLAPL is dismissed.

7. However, liberty is granted to the Petitioner to make application afresh upon submission of charge-sheet.

(Chittaranjan Dash)
Judge

B.K Sahoo/AKPradhan