

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14394 of 2022

M. Rameya

Petitioner

Mr. Manas Kumar Chand, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. Debasish Biswal, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

22.11.2022

Order No.

02. 1. Heard the learned counsel for the Petitioner and the State.
2. By means of this application, the Petitioner seeks grant of bail under Section 438, Cr.P.C. in apprehension of arrest for his alleged involvement in the offence under Sections 294/323/324/307/506/34, I.P.C., in connection with Golanthara P.S. Case No.356 of 2022 corresponding to G.R. Case No.2341 of 2022 pending in the court of learned S.D.J.M., Berhampur.
3. It is submitted by learned counsel for the Petitioner that, except the fact that the present petitioner has been shown as absconder in this case, no criminal antecedent stands to his credit apparently in the present P.S. Learned counsel for the Petitioner further submits that the nature of injuries narrated in the statement as well as in the F.I.R. is not in consonance with the report of the doctor.
4. The injuries shown in the Injury Report, as submitted by the learned counsel for the State, appear to be simple in nature.

5. Having regard to the facts and circumstances of the case, materials appearing in the record, nature of allegation, its seriousness and gravity of the offence, while this Court is not inclined to grant anticipatory bail, it is directed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Berhampur in the aforesaid G.R. Case within a period of three weeks hence, he shall be admitted to bail on such terms and conditions as would be deemed just and proper by the said court with further conditions as follows –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) He shall not threaten, terrorise, ill-treat or harass the Informant and his family members as well as the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever, while on bail.
- (iii) He shall also appear in the trial court on each date of trial, without fail, till conclusion of the trial;
- (iv) Violation of any of any of the conditions shall entail cancellation of bail.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge