

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14449 of 2022

***Dhanajay Barik @ Dhandua
Barik @ Dhanjay Barik***

.... Petitioner
Mr. R.S Samal, Advocate

-versus-

State of Odisha

.... Opp. Party
Mr. Debasis Biswal, ASC.

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
21.11.2022**

Order No.

- 01.
1. Heard learned counsel for the Petitioner and learned counsel for 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 341/294/323/324/307/427/506/34 of IPC.
 3. The learned counsel for the Petitioner submits that a counter case has been filed on the side of the Petitioner wherein the informant side has also been implicated in the offence U/s. 341/323/307/506/34 of IPC.
 4. It is further submitted by the learned counsel for the Petitioner that arising out of the self same incident the co-accused Chandan Kumar Mohanty @ Mandala has since been released on bail.

5. Keeping in view the submission of the parties, the nature of allegations as emerged from the materials on record, the circumstances appearing, the seriousness and gravity of the offences, while this court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioner surrenders and moves for bail in connection with G.R Case No.1448 of 2022 arising out of Badambadi P.S. Case No.326 of 2022 pending in the court of learned J.M.F.C. (City), Cuttack within a period of three weeks' from today, he shall be allowed to go on bail on such terms and conditions as would be deemed just and proper by the said court with further conditions that the Petitioner shall appear in person before the learned court below on each date of posting of the case with further condition as follows:

- (i). The Petitioner shall cooperate with the investigation and appear before the I.O. as and when required by the I.O;
- (ii). He shall not indulge in criminal activities while on bail.
- (iii). He shall appear before the court below on each and every date fixed.

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

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

B.K Sahoo