

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14560 of 2022

Madhusudan Jena

.... ***Petitioner***
Mr. A. Mishra, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K. Mohanty, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
28.11.2022**

Order No.

01.

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 anticipation of arrest for his alleged involvement in the offences U/s.147/148/341/114/294/323/324/325/326/307/506/149 IPC.
3. Learned counsel for the Petitioner submits that with regard to the plantation of tree in the village field there ensued quarrel between the Informant and the Petitioners party resulting case and counter case. Learned counsel further submitted that according to his instruction the injured appearing in the Informant party is simple in nature.
4. Keeping in view the submission of the parties, the nature of allegations, the circumstances appearing, the seriousness and

gravity of the offences, it is directed that in the event the Petitioner surrenders in connection with Korei P.S. Case No.286 of 2022 corresponding to C.T. Case No.1158 of 2022 pending in the court of learned J.M.F.C., Jajpur Road within a period of two weeks' hence and move for bail, he shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that he shall appear in person before the court below on each date of posting of the case unless specifically exempted by the court concerned with the further conditions that he shall appear before the IO as and when required, shall not threaten or intimidate the Informant party in any manner whatsoever and shall cooperate with the investigation.

5. It is made clear that the learned court below shall verify the criminal antecedent of the Petitioner, if necessary, by admitting the Petitioner to bail provisionally till the information is received and in case more than one antecedent is noticed and injury is found grievous, the order of this Court shall not be given effect to and the court shall be free to deal with the matter of bail according to its merit without further reference to the present.

6. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge