

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14722 of 2022

Sagar Sethy

.... ***Petitioner***
Mr. Ashok Das, Advocate

-versus-

State of Odisha

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

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
02.12.2022**

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.341/294/323/324/307/354/506/34 IPC.
3. Learned counsel for the Petitioner submits that in connection with the emersion of Lord Ganesh there ensued a fight between two groups resulting injuries of both the sides. It is also submitted that a counter case has been lodged under Annexure-2 by arraying the Informant side in the same offence as that of the present Petitioner. The injury report annexed to the petition reveals that the injuries to be simple by means of hard and blunt objects.
4. Keeping in view the submission of the parties, the nature of allegations, 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 in connection with Jarada P.S. Case No.259 of 2022 corresponding to G.R. Case No.338 of 2022 pending in the court of learned J.M.F.C., Patrapur within a period of two weeks' hence and moves 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, 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