

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14803 of 2022

Somanath Pradhan

.... ***Petitioner***
Mr. B.K. Ragada, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
05.12.2022**

- 01.
1. Heard the learned counsel for the Petitioner and the State.
 2. By means of this application, the Petitioner seeks grant of bail U/s.438 Cr.P.C. in apprehension of arrest for his alleged involvement in the offences U/s. 341/294/323/307/506/34, I.P.C. in connection with Sadar P.S. Case No.462 of 2022 corresponding to G.R. Case No.2744 of 2022 pending in the court of learned J.M.F.C. (Rural), Cuttack.
 3. Learned counsel for the Petitioner submits that the injuries allegedly to have been sustained by the injured are simple in nature, although it discloses that 14 stitches to have been received on the parietal region of the head and he also submits that the Petitioner does not have any record of criminal antecedents to his credit.
 4. Keeping in view the submissions of the parties and having gone through the nature of allegations as emerged from the materials on record, and further the circumstances appearing, the seriousness and gravity of the offences, this court is not inclined to grant

anticipatory bail. However, it is directed that, in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C. (Rural), Cuttack in the aforesaid G.R. Case 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, but subject to verification of criminal antecedents of the Petitioner as well as the Injury Report.

5. If it is found that there is more than one criminal antecedents standing to the credit of the Petitioner and/or the injuries caused to the injured are found to be grievous in nature, this order shall not be given effect to. However, in case the learned Magistrate allows the Petitioner to go on bail, then the following further conditions shall be imposed –

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

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge