

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15065 of 2022

Kamakhya Behera

....

Petitioner

Mr. Panchanan Panigrahi, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S. Patra, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

ORDER

13.12.2022

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 apprehension of arrest for his alleged involvement in the offences U/s. 294/323/506/307/34 of IPC.
 3. Learned counsel for the Petitioner submits that there is dispute between both the families relating to joint family properties. According to him due to assault of the Informant and his family members, the father of the present Petitioner sustained injury on his head and chest. He further submits that both the parties want to compromise the dispute so also they are pulling well with each other.
 4. Having regard to the nature of allegations as emerged from the materials on record, the circumstances appearing, the seriousness and gravity of the offences, it is directed that in the event the

Petitioner surrenders and moves for bail in connection with Parjang P.S. Case No. 08 of 2022 corresponding to G.R. Case No.08 of 2022 pending in the court of learned J.M.F.C., Parjang within a period of three weeks hence and move for bail, 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 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, intimidate or terrorize the Informant and his family members;
- (iii) he shall not tamper with the prosecution evidence in any manner whatsoever and
- (iv) he shall not indulge in any other crime of similar nature to the present case, in any manner whatsoever, while on bail.

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

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

B.K Sahoo/AKPradhan