

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15109 of 2022

Pravat Nayak @ Kuna Nayak and Petitioners
another

Mr. S. Panda, Advocate

-versus-

State of Odisha Opp. Party
Mr. M.K. Mohanty, ASC

CORAM:
JUSTICE CHITTARANJAN DASH

ORDER
14.12.2022

Order No.

01. 1. Heard learned counsel for the Petitioners and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioners in apprehension of arrest for their alleged involvement in the offences U/s.341/294/323/307/506/34 IPC.
3. Learned counsel for the Petitioners submits that the present Petitioners do not have any criminal antecedent to their credit and the alleged injury mentioned in the F.I.R. also are simple in nature.
4. In that view of the matter, 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 Petitioners surrender in connection with Nayapalli P.S. Case No.680 of 2022 corresponding to C.T. Case No.6353 of 2022

pending in the court of learned S.D.J.M., Bhubaneswar within a period of two weeks' hence and move for bail, they shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that they 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 they 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. Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

5. It is made clear that the learned court below shall verify the criminal antecedent of the Petitioners. In case more than one antecedent is noticed and the injury sustained by the injured is 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