

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15579 of 2021

Prakash Chandra Tripathy Petitioner

Mr. B.N. Satapathy, Advocate

-versus-

State of Odisha Opp. Party

Mr. A.K. Beura,
Addl. Standing Counsel
Mr. A. Mohanty
(for informant)

CORAM:

JUSTICE S.K. SAHOO

ORDER

04.01.2022

Order No.

02.

This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

Heard the learned counsel for the petitioner, learned counsel for the State and learned counsel for the informant.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Paradeep P.S. Case No.262 of 2021 corresponding to G.R. Case No. 1124 of 2021 pending in the Court of learned J.M.F.C. (P), Kujang for alleged commission of offences under sections 341, 294, 323/325/506/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that

the petitioner is the President of Paradeep Industrial Contractors' Association and the offences are triable by Magistrate and the only non-bailable offence is under section 506 of the Indian Penal Code and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State on the other hand opposed the prayer for bail and submitted that there are as many as five criminal antecedents against the petitioner and one of the offence involved in the case is under section 25 of the Arms Act.

Learned counsel for the informant also opposed the prayer for bail and submitted that the petitioner is a habitual offender and therefore, he should not be released on anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner and in view of the criminal antecedents against the petitioner, I am not inclined to release the petitioner on anticipatory bail.

Accordingly, the ABLAPL stands dismissed.

(S.K. Sahoo)
Judge