

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15711 of 2021

Rishi @ Amlan Mohanty* *Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. J.P. Patra,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

11.01.2022

Order No.

02.

This matter is taken up by video conferencing mode.

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Nayapalli P.S. Case No.513 of 2021 corresponding to C.T. Case No. 6120 of 2021 pending in the Court of learned S.D.J.M., Bhubaneswar for alleged commission of offence under sections 147/148/506/341/323/294/384/385/149/120-B of the Indian Penal Code read with sections 25, 27 and 35 of the Arms Act and section 7 of the Criminal Law (2nd

Amendment) Act.

Learned counsel for the State on instruction submitted that the petitioner has got one criminal antecedent i.e. Nayapalli P.S. Case No.494 of 2021 for the offence under section 307 of the Indian Penal Code and other offences so also the offence under sections 25 and 27 of the Arms Act.

Learned counsel for the petitioner submitted that the petitioner is a student of B. Tech. of Siksha 'O' Anusandhan University and in support of such submission, the documents of the institution have been annexed to the application as Annexure-2. Learned counsel for the petitioner further submitted that the petitioner is ready and willing to cooperate with the investigation and the parents of the petitioner so also the petitioner shall take every step to ensure that no such offence is repeated in future and the petitioner is not indulged in any criminal activities and in view of the young age of the petitioner, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submissions made by the learned counsel for the respective parties, nature of accusation against the petitioner, the young age of the petitioner and since the petitioner is a student, I am inclined to

release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.20,000/-(Rupees twenty thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing any facts to the Courts or to the investigating Officer with further condition that the petitioner shall not indulge in any criminal activities and he shall not try to tamper with the evidence and he will appear before the Investigating Officer as and when required. Violation of any of the conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

(S.K. Sahoo)
Judge

