

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15488 of 2022

Subash Samantaray @ Subash ***Petitioners***
Chandra Samantray

Mr. Bibhu Prasad Chhualsingh,
Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. Manoj Kumar Mohanty, , ASC

CORAM:
JUSTICE CHITTARANJAN DASH

ORDER
19.12.2022

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. 341/323/294/354/506/34 of IPC.
3. Learned counsel for the Petitioner submits that the FIR lodged from the side of the Petitioner, is a counter-blast and pursuant to that FIR has been filed against the present Petitioner.
4. Keeping in view the submission of the parties, 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 Delang P.S. Case No.329 of 2022 corresponding to G.R. Case No. 892 of 2022 pending in the court of learned JMFC, Pipili within a period of three weeks hence and he

shall be released on such terms and conditions as would be deemed just and proper by the said court, but subject to verification of the injury report and criminal antecedent of the Petitioner.

5. If the injuries are found to be grievous in nature and there appears more than one criminal antecedent standing to the credit of the Petitioner, this bail order shall not be given effect to. However, if the learned court 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, till conclusion of the trial;
- (iii) he shall not threaten, intimidate or terrorize the Informant and her family;
- (iv) they shall not tamper with the prosecution evidence in any manner whatsoever and
- (v) they 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.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

B.K Sahoo/AKPradhan