

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16111 of 2021

Smruti Sagar Samal* *Petitioner

Mr. S.P. Dash, Advocate

-versus-

State of Odisha* *Opp. Party

*Smt. Susamarani Sahoo,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

19.01.2022

Order No.

01.

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 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.2041 of 2018 arising out of Bhadrak Town P.S. Case No.321 of 2018 pending in the Court of learned S.D.J.M., Bhadrak for alleged commission of offences under sections 452/323/325/307/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the first information report was lodged against

three accused persons including the petitioner and two of them, namely, Jagannath Das and Sasikanta Jena were taken into custody during course of investigation and they have already been released on bail and, in the meantime, on completion of investigation, charge sheet has been submitted. He further submitted that there are no such materials against the petitioner so as to attract the ingredients of the offence under section 307 of the Indian Penal Code and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State placed the injury report of the informant Jyotirmaya Sahoo, which indicates that he has sustained simple injury.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, the nature of injury sustained by the informant and release of the co-accused persons on bail, 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.10,000/- (rupees ten thousand) with two sureties 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 such facts to the Court or to the Investigating Officer.

Violation of any of the above 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.

RKM

