

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16188 of 2021

Papuni @ Anurag Das* *Petitioner

Mr. P. Swain, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate
Mr. Biswaranjan Dalai, Advocate
for the informant*

CORAM:

JUSTICE S.K. SAHOO

ORDER

20.01.2022

Order No.

01. This matter is taken up by video conferencing mode.

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

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Bari Ramachandrapur P.S. Case No.279 of 2021 corresponding to G.R. Case No.2577 of 2021 pending in the Court of learned S.D.J.M., Jajpur for alleged commission of offences under sections 147/148/452/294/323/354/324/325/326/307/149 of the Indian Penal Code.

Perused the FIR.

Learned counsel for the petitioner submitted that it

is a case and counter case and there is no specific material to attract the ingredients of the offences under sections 325, 326 and 307 of the Indian Penal Code. He further submitted that the allegation against the petitioner is that he assaulted to one Nabaghana Das, who has sustained injury on the forearm, which is opined to be simple in nature and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State, on the other hand, produced the case diary and submitted that there are four injured persons in the case and two of them, namely, Mahendra Kumar Das and Narendra Kumar Das have sustained grievous injuries and so far as petitioner Dipak @ Deepak Kumar Das is concerned, he is stated to have assaulted by means of an axe to the said injured Narendra Kumar Das.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, I am inclined to release him on anticipatory bail. 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 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 such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

Accordingly, the ABLAPL is 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

