

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16214 of 2021

Paka @ Aka @ Prakash* *Petitioner
Bhoi

Mr. R.K. Pradhan, Advocate

-versus-

State of Odisha* *Opp. Party

Mr. Arupananda Das,
Addl. Government Advocate

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 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.2810 of 2021 arising out of Puri Town P.S. Case No.250 of 2021 pending in the Court of learned S.D.J.M., Puri for alleged commission of offences under sections 341/294/323/324/325/506/307/379/34 of the Indian Penal Code read with section 25 of the Arms Act.

Perused the F.I.R.

Learned counsel for the petitioner submitted

that there are two injured persons in this case, namely, Janmejaya Nayak and Rajat Kumar Mishra and Janmejaya Nayak has sustained grievous injuries whereas Rajat Kumar Mishra has sustained simple injuries and so far as assault on Janmejaya Nayak is concerned, it is the prosecution case that the co-accused Sanjaya Rout has assaulted him. He further submitted that the nature of accusation levelled against the petitioner may at best constitute an offence under section 506 of the Indian Penal Code and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail, placed the statements of the injured persons, injury reports of the injured and also on verification of the case diary submitted that there is no criminal antecedent against the petitioner.

Considering the submissions made by the learned counsel for the respective parties, the young age of the petitioner, the nature of accusation against him and since there is no specific overt act against the petitioner relating to the assault of any of the injured persons, 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.

संक्षेपित न्यायो

(S.K. Sahoo)
Judge

RKM