

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15830 of 2022

Bisonatha Nayak @ Papu

.... ***Petitioner***
Mr. P.K. Nayak, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S.N. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. By means of this application, the petitioner seeks grant of bail U/s.438 Cr.P.C. in apprehension of arrest for his alleged involvement in the offences under Sections 341/323/325/307/294/506/34, I.P.C. in connection with Purighat P.S. Case No.269 of 2022 corresponding to G.R. Case No.1405 of 2022 pending in the court of learned S.D.J.M.(Sadar), Cuttack.
4. Leaned counsel for the petitioner submits that on similar footing with the present petitioner, another co-accused person has already been released on bail by this Court by order dated 07.12.2022 in ABLAPL No.14523 of 2022.
5. Learned counsel for the State submits that that injury report has since been obtained and the nature of injury sustained by the injured is simple in nature, as opined by the doctor.
6. Considering the aforesaid facts and submissions, nature of allegations, the circumstances appearing, the seriousness and gravity of

the offences, while this Court is not inclined to grant anticipatory bail, however, it is directed that, in the event the petitioner surrenders and moves for bail before the learned S.D.J.M., (Sadar), Cutack in the aforesaid G.R. case within a period of three weeks from today, he shall be allowed to go on bail on such terms and conditions as would be deemed just and proper by the said court, but subject to the following further conditions:

- I. The petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required;
 - II. He shall appear in person before the trial court on each date of posting of the case unless specifically exempted by the court concerned;
 - III. He shall not threaten, intimidate, terrorize, ill treat or harass the Informant and his family members including the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever, while on bail;
 - IV. He shall not indulge in any other offence of similar nature to the present case in any manner whatsoever, while on bail.
 - V. Violation of any of the conditions shall entail cancellation of bail of the petitioner.
6. The ABLAPL is disposed of accordingly.
- Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge

