

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16085 of 2022

Ashok Kumar Bal

Petitioner

....
Mr.Soubhagya Swain, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.P.K.Rout, A.G. A.

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
22.12.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Addl. Government Advocate for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 341,323,294,354,354-B,307, 379,506/34 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner does not have any criminal antecedents. Further it is submitted that the injuries sustained are simple in nature. Further, it is contended by the learned counsel for the Petitioner that the only allegation against the Petitioner is that he has assaulted the husband of the informant Therefore, no allegation under section 354-B of the Indian Penal Code is made out against the Petitioner. He further

specifically submitted that such allegation is against co-accused Abhaya Kumar Bal.

5. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Chandbali in Chandbali P.S. Case No.399 of 2022 within a period of three weeks from today, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case, but subject to verification of Injury Report and criminal antecedents of similar nature. Case Diary, Injury Report and Criminal Antecedents be made available on the date of surrender before the Court below.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

RKS