

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16797 of 2021

Chittaranjan Dash* *Petitioner

Mr. B.K. Mohanty, *Advocate*

-versus-

State of Odisha* *Opp. Party

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

27.01.2022

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 C.T. Case No.1225 of 2021 arising out of Kuakhia P.S. Case No.215 of 2021 pending in the Court of learned S.D.J.M., Jajpur for alleged commission of offences under sections 341/323/506 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioner submitted that when the case was registered under sections 341/323/506 of the Indian Penal Code, the petitioner was released on bail by the learned S.D.J.M., Jajpur and subsequently, the Investigating Officer found the case as one under sections

326 and 354 of the Indian Penal Code and accordingly, intimation was given to the learned S.D.J.M., Jajpur and the Court has issued notice to the petitioner to appear before the Court on 10.11.2021 and to file show cause as to why his bail would not be cancelled but till date, no show cause has been filed by the petitioner.

Considering the submission made by the learned counsel for the petitioner, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner appears before the learned S.D.J.M., Jajpur in the aforesaid case on or before 07.02.2022 and files his show cause, the cancellation of bail aspect is to be adjudicated first by the learned S.D.J.M., Jajpur by hearing both the parties keeping in view the principles laid down by the Hon'ble Supreme Court in such matters. Till the final order is passed, no coercive steps shall be taken against the petitioner.

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.

(S.K. Sahoo)
Judge

RKM