

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16396 of 2022

Samaru @ Kandarpa Dansana ***Petitioner***
Mr. Jagabandhu Sahu, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. S. Patra, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No. **ORDER**
23.12.2022

01. 1. Heard the learned counsel for the Petitioner and the State.
2. By means of this application, the Petitioner seek grant of bail U/s. 438 CrPC in apprehension of arrest for his alleged involvement in the offences U/s. 341/294/323/307/336/325/147/506/149 of IPC, in connection with Bijepur P.S. Case No.256 of 2022 corresponding to G.R. Case No.709 of 2022 pending in the court of learned JMFC, Sohela.
3. Learned counsel for the Petitioner submits that there is case and counter-case.
4. Considering the submission of the learned counsel for the Petitioner, nature of allegations, the circumstances appearing and the seriousness and gravity of the offences, while this court is not inclined to grant anticipatory bail, it is directed that, in the event the Petitioner surrenders and moves for bail before the learned JMFC, Sohela 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 verification of criminal antecedents of the Petitioner and the injury if not found grievous.

5. If it is found that there is more than one antecedent to the credit of the present Petitioner or the injuries to be grievous, this order shall not be given effect to. However, if the learned Magistrate is satisfied that there is not more than one criminal antecedent of similar nature against the Petitioner and the injuries to be not grievous in nature and admits the Petitioner to bail, the following further conditions be imposed –

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) They shall appear in person before the trial court on each date of posting of the case unless specifically exempted by the court concerned.
- (iii) They shall not threaten, intimidate, terrorize, the Informant party members including the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever, while on bail.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge