**IN THE HIGH COURT OF ORISSA AT CUTTACK**
**ABLAPL No.13214 of 2024**

***Sankar Pradhan @ Sankar Prasad Pradhan*** ..... ***Petitioner***

Represented By Adv. - Jyotirmaya Sahoo

*-versus-*

***State Of Odisha*** ..... ***Opposite Party***

Represented By Adv. – Mr. M.R. Mohanty, A.G.A.

**CORAM:**
**THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA**

**ORDER**
**20.12.2024**

**Order No.**

02. 1. This matter is taken up through Hybrid Arrangement (Virtual/ Physical Mode).

2. Heard learned counsel for the Petitioner and learned Additional Government Advocate appearing for the Opposite Party-State.

3. The present application has been filed under Section 482 of B.N.S.S. by the Petitioner seeking pre-arrest bail in connection with Kabisuryanagar P.S Case No.711 of 2024, corresponding to G.R. Case No.699 of 2024, pending in the court of learned J.M.F.C, Kabisuryanagar, for alleged commission of offences punishable under Sections 296 / 109(1) / 351(2) / 3(5) of Bharatiya Naya Sanhita (BNS), 2023.

4. It is stated by the learned counsel for the petitioner that the injured has not sustained any injury and that the petitioner does not have any criminal antecedent. He further contended that the petitioner

belongs to the locality, therefore there is no chance of his absconding. Learned counsel for the petitioner further contended that the petitioner has been falsely implicated in the present case.

5. Learned counsel for the State on the other hand objected to the release of the petitioner on bail on the ground that the investigation is going on therefore, the release of the petitioner would cause delay in conclusion of the investigation.

6. Considering the nature of allegation, gravity of offence and the surrounding facts of the case, I am not inclined to grant pre-arrest bail to the Petitioner. However, it is directed that in the event the Petitioner surrenders before the Court in seisin over the matter within a period of four weeks from today and moves an application for bail, the Court in seisin over the matter shall release him on bail in connection with the aforesaid case on such terms and conditions as it may deem just and proper in the facts and circumstances of the case, but subject to verification of criminal antecedent of the Petitioner and injury report. In the event it is found by the learned court below that the Petitioner is having any similar criminal antecedent or the injuries sustained by the injured are grievous in nature, then this order shall automatically stand revoked.

7. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

***( Aditya Kumar Mohapatra)***
***Judge***

*Rubi*

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Signed by: RUBI BEHERA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 23-Dec-2024 14:15:37