

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.187 of 2021

1. Prafulla Kumar Sahoo Petitioners
2. Smt. Lili Sahoo
3. Smt. Sonali Priyadarsini Sahoo

Mr. S.N. Biswal, Advocate

-versus-

State of Odisha Opp. Party

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

09.02.2022

Order No.

03.

This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with C.T. Case No.6898 of 2021 arising out of UPD Bhubaneswar Mahila P.S. Case No.154 of 2021 pending in the Court of learned S.D.J.M., Bhubaneswar for alleged commission of offences under sections 498-A/294/341/326-B/307/34 of the Indian Penal Code read with section 4 of the D.P. Act.

Perused the F.I.R.

Learned counsel for the petitioners submitted that this case arises out of a complaint petition and the complaint petition was forwarded by the learned S.D.J.M., Bhubaneswar to the Inspector in-charge of Bhubaneswar Mahila police station and accordingly, UPD Bhubaneswar Mahila P.S. Case No.154 dated 12.12.2021 was registered under sections 498-A/294/341/326-B/307/34 of the Indian Penal Code read with section 4 of the D.P. Act, which is pending in the Court of learned S.D.J.M., Bhubaneswar. It is further submitted that the petitioner no.1 is the father-in-law, petitioner no.2 is the mother-in-law and petitioner no.3 is the sister-in-law of the informant respectively and the main allegation is against the husband of the informant, namely, Swaroop Kumar Sahoo, who has already been arrested and he is in judicial custody and earlier he approached this Court for anticipatory bail and direction was issued to him to surrender in the Court below and move for bail. It is further submitted that in absence of any specific overt act against any of the petitioners and the nature of accusation against them, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the

learned counsel for the respective parties, the nature of accusation against the petitioners, who are the in-laws of the informant and absence of any specific overt act against them and since the case arises out of a matrimonial dispute, I am inclined to release the petitioners on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners in connection with the aforesaid case, they shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that they shall make themselves available for interrogation by the I.O. as and when required and they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge