

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.216 of 2022

Swapna Rani Mohanty @ Petitioner
Swapna Mohanty

Mr.R.L. Pattnaik, Advocate

-versus-

State of Odisha and Opp. Parties
another

Mr. Tapas Kumar Praharaj,
Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
31.01.2022

Order No.

01. This matter is taken up through video conferencing mode.

Heard learned counsel for the petitioner and learned Standing Counsel for the Railways.

This is an application under section 438, Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Dhenkanal Town P.S. Case No. 524 of 2021 corresponding to G.R. Case No. 1451 of 2021 pending in the court of learned S.D.J.M., Dhenkanal for alleged commission of offences under sections 498-A, 379/34 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Considering the submission made by the learned counsel for the petitioner that the petitioner is the alleged

second wife of the husband of the informant, the case has been falsely instituted on account of a matrimonial dispute between the parties and that the offences are triable by Magistrate and keeping in view the proviso to section 437(1) of Cr.P.C. and on hearing the learned counsel for the State, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, she shall be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further condition that she shall make herself available for interrogation by the prosecuting agency as and when required and she 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 any facts to the Courts or to the Investigating Officer.

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

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