

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.694 of 2022

Bhagat Charan Sahoo and others* *Petitioners

-versus-

State of Odisha* *Opposite Party

CORAM: JUSTICE S. PUJAHARI

Order
No.

ORDER
03.02.2022

01. 1. This matter is taken up through virtual mode.
2. The Petitioners apprehending their arrest in I.C.C. No.37 of 2021 pending in the Court of Nayadhikari Gramya Nayalaya-cum-J.M.F.C., Ghasipura for alleged commission of offences punishable under Sections 498-A, 294, 323, 406, 506, 307 read with Section 34 of the I.P.C. and Section 4 of the Dowry Prohibition Act, have filed this petition for their release on pre-arrest bail.
3. Heard the learned counsel for the Petitioners.
4. Petitioners having been issued in the aforesaid case to appear, have approached this Court for their release on bail on surrendering.
5. Considering the facts and submissions made, especially the nature of accusation, character of incriminating materials appearing against the Petitioners, circumstances in which the offences stated to have been committed and there being no likelihood of the Petitioners absconding and/or tampering with the prosecution evidence, if released

on pre-arrest bail, this Court directs that if the Petitioners surrender before the Court in seisin over the matter within six weeks hence and make a motion for bail, the Court in seisin over the matter shall release them on bail in connection with the aforesaid case on such terms and conditions as it may deem just and proper.

6. However, if the Petitioners do not surrender within the time stipulated, there is no impediment on the part of the police to take them to custody and produce in the Court executing the non-bailable warrant issued or pending against them in the aforesaid case and in that event, the court concerned shall consider their prayer on its own merit.

7. The ABLAPL is, accordingly, disposed of being allowed.

8. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout copy of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 & 515 dated 7th January, 2022.

(S. Pujahari)
Judge

DA