

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.927 of 2022**

***Jhunulata Mohakud & another*** .... ***Petitioners***  
***Mr. S.N. Mishra(4), Advocate***

***-versus-***

***State of Odisha*** .... ***Opp. Party***  
***Mr. S.Patra, A.S.C.***  
***Mr. D. Mishra, Advocate for Informant***

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**03.08.2022**

**Order No.**

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
  2. Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Standing Counsel for the State.
  3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
  4. The petitioners are seeking pre-arrest bail in connection with C.T. Case No.61 of 2022, arising out of Simulia P.S. Case No.09 of 2022 pending in the court of learned J.M.F.C., Soro for commission of offences punishable under Sections 498-A/323/306/302/34 of I.P.C.
  5. It is submitted by learned counsel for the petitioners that the victim and her husband who are the daughter-in-law and son of the present petitioners were staying separately from the present petitioner. Thereafter, it is alleged that the victim died in a suspicious circumstance. According to the learned counsel for the petitioner the

deceased committed suicide. Learned counsel for the informant submits that he has no objection if the present petitioners are released on bail. However, he submits that since the children of the victim are staying with the maternal grand-father, he needs the school leaving certificate for their further continuance of studies. According to the learned counsel for the informant the relevant documents may be available with the present petitioners.

6. Considering the nature of allegations and gravity of offence and the facts of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is observed that, in the event the petitioners surrender before the learned court in seisin over the matter within a period of three weeks from today, the petitioners shall be released on bail on such terms and conditions as the learned Magistrate may deem fit and proper, subject to the condition that while on bail he shall not threaten, terrorize and harass the informant and his family members in any manner whatsoever. Further, while imposing the condition learned court below shall also add one additional condition that the petitioner shall provide the relevant document as mentioned hereinabove, if the same is available with them, to the informant.

7. Accordingly, the ABLAPL is disposed of.

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

**( A.K. Mohapatra )**  
**Judge**