

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.1583 OF 2020

Manoj Kumar Sethi

.... ***Petitioner***
Mr. J. Sahoo, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. D.R. Parida, ASC

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
15.02.2022**

Order No.

03. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. The Petitioner having been implicated in connection with Berhampur Mahila P.S. Case No.09 of 2020 corresponding to G.R. Case No.158 of 2020 on the file of learned S.D.J.M., Berhampur for alleged commission of offence under Sections 498-A/313/376/511/34-A/354-B/294/323/506/34, I.P.C. read with section 4 of the D.P. Act has filed this application under section 438 of Cr.P.C. for grant of bail in the event of his arrest in the said case.
2. Learned counsel for the Petitioner submits that the Petitioner being the husband of the victim has been implicated in the case on the general allegation that he was ill-treating and torturing the deceased for non-fulfillment of the demand of dowry. He further submits that insofar as the allegations of commission of offence under section 376 read with section 511, I.P.C. is concerned, those runs against the father-in-law of the victim. He further submits that the Petitioner having remained under interim protection since 14.02.2020, there comes no report

that he has violated the terms and conditions imposed against him for the purpose. In view of all these above, he prays for grant of anticipatory bail to this Petitioner.

3. Learned counsel for the State does not dispute the position that the materials in course of investigation has surfaced against the father-in-law of the victim in respect of commission of offence under section 376 read with section 511, I.P.C.

3. Considering the submissions and on going through the nature of accusations; further keeping in view the surrounding circumstances of the case as also concerning the Petitioner and in the absence of any other impediment, it is directed that in the event the Petitioner surrenders before the Court in seisin of the case in connection with the above mentioned case within three weeks hence and moves for his release on bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the said Court with further condition that he will not threaten or terrorize the prosecution witnesses including the victim in any manner.

4. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Himansu