

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

**ABLAPL No.1468 of 2022**

**1. Dhurba Charan Sahu**

**2. Santilata Sahu**

**3. Babuli Sahu**

**4. Pari @ Prafulla Pradhan .... Petitioners**

*Mr. A.K. Das, Advocate*

*-versus-*

**State of Odisha**

**.... Opp. Party**

*Mr. S.S. Pradhan,*

*Addl. Government Advocate*

*Mr. A. Mishra, Advocate for the  
informant*

**CORAM:  
JUSTICE S.K. SAHOO**

**ORDER  
08.03.2022**

**Order No.**

02. This matter is taken up through Hybrid arrangement  
(video conferencing/physical mode).

Heard learned counsel for the petitioners, learned  
counsel for the informant 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. Special Case No.03 of 2022 arising out of Angul  
P.S. Case No.45 of 2022 pending in the Court of learned  
Sessions Judge -cum- Special Judge, Angul for alleged  
commission of offences under sections 498-A/312/294/  
323/506/34 of the Indian Penal Code read with sections

3(1)(r)/3(1)(s)/3(2)(va) of the S.C. & S.T. (PoA) Act.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the case arises out of a matrimonial dispute and petitioner no.1 is the father-in-law, petitioner no.2 is the mother-in-law, petitioner no.3 is the husband and petitioner no.4 is the uncle-in-law of the informant respectively and there are no such materials to attract the ingredients of the offence under section 3 of the S.C. and S.T. (PoA) Act and section 18 of the said Act is not a bar to entertain this anticipatory bail application and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Learned counsel for the informant submitted that there is specific allegation against petitioner no.3 Babuli Sahu, the husband of the informant.

In view of the specific allegation against the petitioner no.3 Babuli Sahu, I am not inclined to grant him on anticipatory bail. Accordingly, his prayer for anticipatory bail stands rejected.

So far as petitioners nos.1, 2 and 4 are concerned, taking into account the nature of accusation against them and the fact that the case arises out of a matrimonial dispute, I am inclined to release them on anticipatory bail. Accordingly, this Court directs that in the event of arrest of petitioner no.1 Dhurba Charan Sahu, petitioner no.2 Santilata Sahu and petitioner no.4 Pari @ Prafulla 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.

So far as petitioner no.3 Babuli Sahu is concerned, it is observed that in the event he surrenders in the Court below and moves for bail before the learned Court below within a period of four weeks from today, the same shall be disposed of as expeditiously as possible by the Court below in accordance with law. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

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

**( S.K. Sahoo )**  
**Judge**