

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1565 of 2022

1. Martin Nuhas Toppo @

Martin Toppo

2. Saran Ekka

3. Ignesia Toppo

.... Petitioners

Mr.S.K. Pattnaik, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr.D.K. Pani,
Addl. Standing Counsel*

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

**ORDER
23.02.2022**

Order No.

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

Heard Learned counsel for the petitioners and the 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 Gurundia P.S. Case No. 3 of 2022 corresponding to G.R. Case No.46 of 2022 pending in the Court of learned S.D.J.M., Bonai for commission of alleged offences under sections 498-A, 494, 307, 379, 506, 34 of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

Learned counsel for the petitioners submitted that petitioner no.1 is the brother-in-law, petitioner no.3 is the mother-in-law of the informant and petitioner no.2 is the co-villager of petitioner no.1 and the main allegation is against the husband of the informant and the case arises out of a matrimonial dispute and therefore, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail and drew the attention of this Court to paragraph nos.7 and 8 of the first information report.

Considering the submissions made by the learned counsel for the respective parties, the omnibus nature of accusation against the petitioners and the fact that the case arises out of a matrimonial dispute between the parties, I am inclined to release the petitioners on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners 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 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.

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

(S.K. Sahoo)
Judge



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