

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1759 of 2022

Sabita Samal and others *Petitioners*
Mr. S. Pr. Dash, Advocate

-versus-

State of Odisha *Opp. Party*
Mr. P.K. Rout, A.G.A.
Mr. L. Bhuyan, Advocate for the
Informant

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.08.2022

Order No.

03.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners 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 G.R. Case No.12 of 2022, arising out of Anandapur P.S. Case No.12 of 2022 pending in the court of learned S.D.J.M., Anandapur for commission of offence punishable under Sections 498-A/506/ 294/307/34, I.P.C.
5. It is submitted by learned counsel for the petitioners that the petitioners are in-laws of the daughter of the informant. Further, it is submitted by learned counsel for the petitioners that although the case was registered under Sections 498-A/506/ 294/307/34, I.P.C. However in the meantime, the case has been turned to one under Section 302, I.P.C. Learned counsel for the petitioners also submits that the daughter of the informant found dead at Syconderabad while she was staying

with her husband in the State of Telengana and that the in-laws are staying in their native village at Anandapur in the district of Keonjhar. In such view of the matter, the petitioners had not direct involvement in the alleged incident.

6. Learned counsel for the State, on the other hand, submits that investigation is going on, therefore, the petitioners should not be enlarged on anticipatory bail at this stage and the same be affect in the investigation.

7. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, considering the fact that the alleged occurrence took place at Syconderabad in the State of Telengana, it is directed that in the event the petitioners surrender and move for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that petitioners shall cooperate with the Investigating Officer as and when required for the purpose of investigation, they shall not shall not harass, torture, threaten or terrorize the informant and his/her family members in any manner whatsoever while on bail and they shall not default in attendance of the during trial on each date of posting.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. Accordingly, the ABLAPL is disposed of.

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

