

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1801 of 2022

Bhima Parimanik & Others

....

Petitioners

Mr. Jayadeba Behera, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashanka Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

11.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 498-A/294/323/307/506/34, I.P.C. & Section 4 of D.P. Act.
4. It is submitted by learned counsel for the Petitioners that there is no injury caused to the victim, although allegation under Section 307, I.P.C. has been made. He further submits that the wife – informant has already filed a case in the Family Court for maintenance. He further submits that the Petitioners are in-law members as well as husband of the Informant.
5. Considering the above submission, nature of allegation, gravity of the offence and facts of the case, although 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 J.M.F.C., Banpur in G.R. Case No.44 of 2022 corresponding to Banpur P.S. Case No.49 of 2022 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 just and proper in the facts and circumstances of the case.

While imposing conditions for bail, learned Magistrate shall also impose the condition thereby the Petitioners shall not threaten, terrorise, ill-treat or harass the Informant and her family members or the prosecution witnesses in any manner whatsoever.

Further, while on bail, Petitioner No.3 (husband) shall take care of the Informant so long as the matrimonial relationship subsists between them. Also, he shall provide day-to-day expenses of the Informant and his daughter in all respect.

Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge