

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1899 of 2022

Jitendra Kumar Sahu & Others ***Petitioners***
Mr. Jayanta Kumr Majhi, 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/323/294/506/34, I.P.C. & Section 4 of D.P. Act.
4. Considering the 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 and move for bail before the learned J.M.F.C., Betnoti in C.T. Case No.682 of 2021 corresponding to Baisinga P.S. Case No.260 of 2021 within a period of three weeks from today, they 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, but subject to the following further conditions –

- (i) The Petitioners shall not threaten, terrorise, ill-treat or harass the Informant and her family members in any manner whatsoever;
- (ii) Petitioner No.1 shall return all the Certificates of the Informant-wife Smt. Bharati Sahu within fifteen days from today.
- (iii) While on bail, Petitioner No.1 shall look after the wellbeing of the Informant-wife and shall also take care of her day-to-day expenses for her survival so long as the marriage subsists between them as per law.

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

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

(A.K. Mohapatra)
Judge