

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1915 of 2022

Bijaya Kumar Sahu & Others ***Petitioners***

Mr. Ajit Kumar Sahoo, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. Shashanka Patra, A.S.C.

Miss Aishwaryia Dash, Adv. (for Informant)

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, learned Addl. Standing Counsel for the State and learned counsel for the Informant.
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 S.D.J.M., Bhubaneswar in C.T. No.789 of 2022 corresponding to Bhubaneswar Mahila P.S. Case No.15 of 2022 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) While on bail, Petitioner No.3 being the husband, 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.
- (iii) All the Petitioners shall cooperate in the investigation of the case by appearing before the I.O. as and when required for the purpose.
- (iv) They shall appear before the learned trial court on each date of trial, without fail.

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