

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2364 of 2022

Prabhat Kumar Mohanty ***Petitioner***
Mr. Lopamudra Pradhan, Advocate
-versus-
State of Odisha ***Opposite Party***
Mr. Sitikant Mishra, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER
12.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 498-A/323/506/34, 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 Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M. (S), Cuttack in G.R. Case No.1070 of 2018 corresponding to UPD Cuttack Mahila P.S. Case No.52 of 2018 within a period of three weeks from today, he 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 further conditions whereby the Petitioner shall not threaten, terrorise, ill-treat or harass the Informant or her family members in any manner whatsoever.

While on bail, the Petitioner 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.

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

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

(A.K. Mohapatra)
Judge