

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2465 of 2022

Suryanarayan Mohanty

....

Petitioner

Mr. Bigyan Kumar Sharma, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Rout, A.G.A.

Mr. Satyabhusan Das, Adv. (for informant)

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

16.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Counsel for the State and learned counsel for the Informant.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offences punishable under Sections 498-A/377/323/313/506/34, I.P.C. & Section 4 of D.P. Act.
4. It is submitted by learned counsel for the Petitioner that, both Petitioner and the Informant, who are husband and wife, have approached the learned Judge, Family Court, Sambalpur by filing an application under Section 13(B) of the Hindu Marriage Act, 1955, for grant of mutual dissolution of the marriage. It is stated by him that the matter has been compromised between the parties, as a result of which the Informant has already been paid a sum of Rs.5,00,000/-

(Rupees Five lakh), which is acknowledged by the learned counsel for the Informant.

5. Considering such submissions, gravity of the offence as alleged and the facts of the case, although this Court is 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.225 of 2022 corresponding to Cuttack Mahila P.S. Case No.21 of 2022 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.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge