

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2577 of 2022

Bhabani Shankar Swain

....

Petitioner

Mr. Panchanan Panigrahi, Advocate

-versus-

State of Odisha & another

....

Opposite Parties

Mr. Shashanka Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

16.08.2022

Order No.

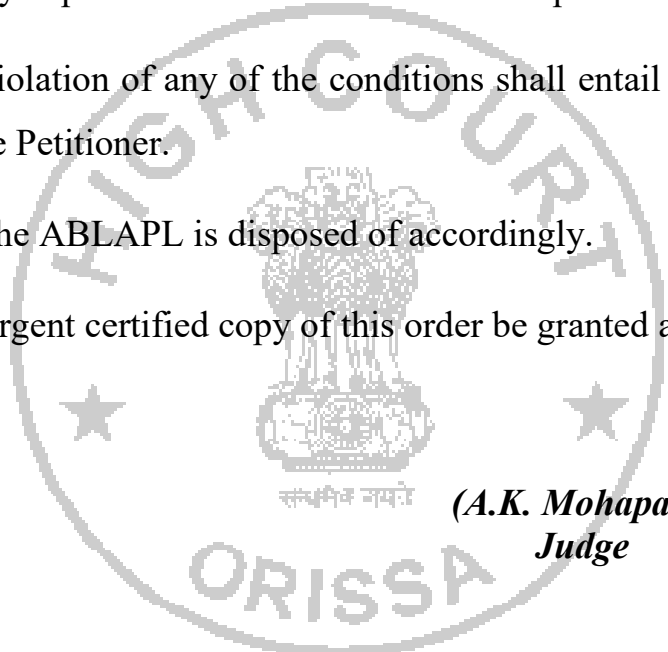
02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable 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 before the learned S.D.J.M., Kamakhya Nagar in G.R. Case No.72 of 2022 corresponding to Kamakhya Nagar P.S. Case No.37 of 2022 within a period of three weeks from today, the Petitioner 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 Petitioner 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 being the husband shall look after the well-being of the Informant so long as the matrimonial relationship subsists between them as per law. Also, he shall provide day-to-day expenses of the Informant in all respect for her survival.

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.

The seal of the Orissa High Court is a circular emblem. It features the Ashoka Lion Capital in the center, with the words 'HIGHER COURT' at the top and 'ORISSA' at the bottom. Two stars are positioned on either side of the central emblem. Below the lion capital, the Sanskrit motto 'सत्यमेव जयते' is inscribed. The signature of the judge is placed to the right of the seal.
(A.K. Mohapatra)
Judge