

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2251 of 2022

Asit Kumar Mohanty

....

Petitioner

Mr. R.D. Acharya
Advocate

-Versus -

State of Odisha

Opposite Party

....

Mr. P.K. Maharaja,
Additional Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.03.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 23.02.2022 in connection with Puri Town P.S. Case No.55 of 2022 corresponding to G.R. Case No.398 of 2022 pending in the court of learned S.D.J.M., Puri for the alleged commission of offence under Sections 498-1/294/323/506/307/34 of IPC read with Section 4 of Dowry Prohibition Act, 1961.
4. The allegations of cruelty, both physical and mental have been made by the informant who is the wife of the petitioner. It is also alleged that there was demand for dowry. It is alleged in the FIR on that the petitioner and his family members attempted to kill the victim by strangulating her but she escaped. It is submitted by learned counsel for the petitioner that the marriage between the

petitioner and his wife has broken down and a petition for divorce has been filed by him before the Judge Family Court, Puri.

5. Learned counsel appearing for the informant submits that if the petitioner is released on bail, he may cause further injury to the informant. Learned Additional Standing Counsel has also opposed the bail by submitting that there is clear evidence of the petitioner and his family members of attempting to kill the informant.

6. Considering the submissions as above, the materials on record and the period of detention in custody and the fact that there is no evidence of any injury having been sustained by the victim, I am inclined to allow the prayer for bail with the following condition:

(i) The petitioner shall not approach, threaten, coerce or pressurize the victim in any manner whatsoever.

In the event of violation of the above condition, it shall be open to the informant to seek cancellation of the bail

7. The BLAPL is accordingly disposed of.

8. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge