

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2729 of 2022

Kuna @ Kuna Chandra Dalai

.... ***Petitioner***
Mr.S.R.Mulia, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr.S.Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

16.08.2022

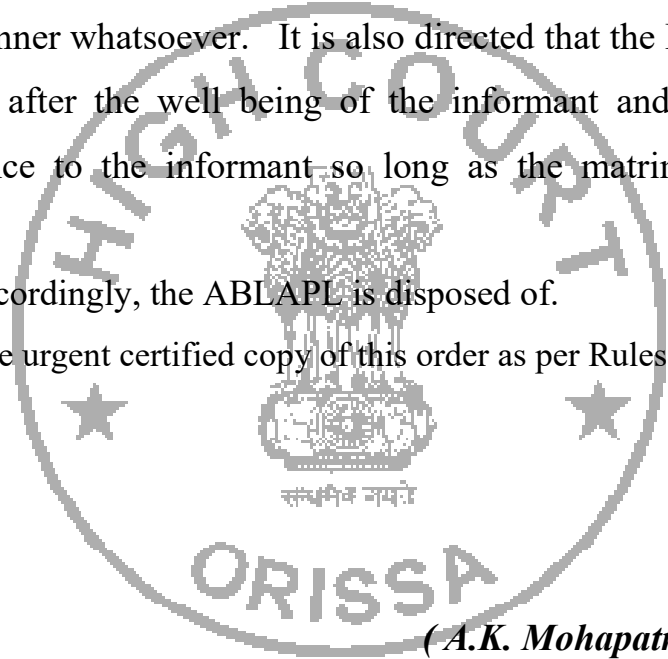
Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioner that the Petitioner has no complicity in the alleged crime and the entire case has been foisted only to harass and humiliate the Petitioner. It is further submitted that the prosecution case is shaky in nature which does not make out any case against the Petitioner. He also contends that the informant is an arrogant lady and always misbehaved the Petitioner. When he protested such false case has been foisted only to harass him.

5. Considering the nature of allegations made, gravity of the offence and the fact of the case, I am not inclined to grant anticipatory bail to the Petitioner. However, it is directed that in the event the Petitioner surrenders before the learned J.M.F.C., Tirtol in G.R.Case No.73 of 2022 arising out of Tirtol P.S.Case No.75 of 2022 within a period of three weeks from today and moves for bail, he shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate with further condition that the Petitioner while on bail shall not threaten, influence, terrorise or harass the informant and her family members in any manner whatsoever. It is also directed that the Petitioner shall also look after the well being of the informant and shall provide maintenance to the informant so long as the matrimonial dispute subsists.

6. Accordingly, the ABLAPL is disposed of.

7. Issue urgent certified copy of this order as per Rules.



(A.K. Mohapatra)
Judge