

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2762 of 2022

Pabitra Kumar Sahoo

....

Petitioner

Mr.Sarada Prasad Dash,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 earlier filed a complaint case against the informant. It is also submitted by the learned counsel for the Petitioner that the informant is employed in service and further she is having illicit relationship. However, in the present case, the informant has alleged torture by the Petitioner and his family members. It is further seen from the F.I.R. that the informant had been physically assaulted by the Petitioner as a result of which she had a miscarriage in the year

2015. However, It is submitted by the learned counsel for the Petitioner that the present case was registered in the year 2019.

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 S.D.J.M., Phulbani in C.T. Case No. 366 of 2019 arising out of Phulbani Town P.S. Case No. 127 of 2019 pending in the Court of the learned S.D.J.M., Phulbani 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. In the event it is found that the Petitioner is indulged in such activities, this order shall stand revoked. It is open for the learned court below to proceed in accordance with law.

6. Accordingly, the ABLAPL is disposed of. ★

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

(A.K. Mohapatra)
Judge