

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2874 of 2022

Siba Prasad Mallik

.... ***Petitioner***
Mr.S.S.Ray-2,Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr.S.Mishra, 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 is an innocent person having no nexus with the alleged offence and there is no material available to rope the present petitioner in the present crime. It is also submitted by the learned counsel for the Petitioner that the Petitioner is the husband of the informant and the allegations made in the F.I.R. are omnibus in nature.
 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., Berhampur in G.R.Case No.2240 of 2021 arising out of Mahila P.S.Case No.160 of 2021 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 shall cooperate with the investigation and shall appear before the I.O. as and when required for the purpose of investigation till conclusion of investigation and after conclusion of investigation shall appear before the trial court on each and every date fixed. Violation of condition shall entail cancellation of bail. 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