

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3205 of 2022

***Guguna Parida @ Bibhuna Parida
@ Bibhuti Parida***

.... ***Petitioners***

Mr. Santosh Kumar Dash, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr. P.K. Rout, A.G.A.

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
17.08.2022**

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 457/354-A/354-B/323/379, I.P.C.
4. It is submitted by learned counsel for the Petitioner that due to political rivalry, the Petitioner has been falsely implicated in the present case. He further submits that the husband of the Informant was contesting Gram Panchayat election against the present Petitioner. It is also contended that the present Petitioner succeeded in the election and the husband of the Informant lost that election. Therefore, after the election was over, the present F.I.R. has been lodged making such false allegation against the present Petitioner. It

is further submitted by the Petitioner that the victim has not been medically examined with regard to the allegation made against the Petitioner.

5. Considering the aforesaid facts, seriousness of the 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 and moves for bail before the learned S.D.J.M., Puri in G.R. Case No.614 of 2022 corresponding to Satyabadi P.S. Case No.80 of 2022 within a period of three weeks from today, he 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.

However, while imposing conditions for bail, learned Magistrate shall impose further conditions whereby the Petitioner shall not threaten, terrorise, ill-treat, harass or influence the Informant and her family members as well as the prosecution witnesses in any manner whatsoever. In the event any complaint is received with regard to harassment, ill-treatment, threatening or terrorizing by the Petitioner to the Informant and her family members in any manner, it is open for the learned court in seisin over the matter to proceed against the Petitioner in accordance with law, by treating this bail order as nullity.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge