

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3590 of 2022

1. Kanha Barik

2. Bhagabati Barik

....

Petitioners

Mr.D.K. Sahoo, Advocate

-versus-

1. State of Odisha

2. Chumuki Barik

....

Opp. Parties

Mr.A. Das,

Addl. Government Advocate

Mr. Ashok Kumar Sahoo,

Advocate for the informant

CORAM:

JUSTICE S.K. SAHOO

ORDER

18.05.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioners and learned counsel for the State as well as learned counsel for the informant.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Jamboo Marine P.S. Case No.35 of 2022 corresponding to G.R. Case No.405 of 2022 pending in the Court of learned S.D.J.M., Kendrapara for alleged commission of offences under sections 498-A/307/34 of the Indian Penal Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the State on instruction submitted that notice as contemplated under section 41A of Cr.P.C. has been served on the petitioner no.2 and he has complied with the terms of the notice and therefore, there is no apprehension of arrest of the petitioner no. 2 in connection with this case.

In view of such submission, this ABLAPL so far as petitioner no.2 Bhagabati Barik is concerned, stands disposed of.

In view of the nature and gravity of the accusation against petitioner no.1, while not inclining to grant anticipatory bail to him, it is observed that in the event he surrenders in the learned Court below and move for bail, the learned Courts below shall dispose of the same in accordance with law expeditiously. The case records shall be made available to the Courts concerned for disposal of the bail application.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge