

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5004 of 2022

Badal Panigrahi

Petitioner

....

Mr.D.R.Bhokta, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.M.K.Mohanty, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

14.10.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 498-A, 341, 323, 307, 120-B, 506/34 of the Indian Penal Code read with Section 4 of the D.P. Act.
4. It is submitted by the learned counsel for the Petitioner that although the present case has been initiated at the instance of the informant-wife. However, he submits that in the meantime the husband and wife have resolved their dispute and decided to stay together and they are staying together and leading a happy conjugal life.

5. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Bhawanipatna in C.T.Case No.698 of 2022 arising out of Bhawanipatna Town P.S.Case No.177 of 2022 within a period of three weeks from today, he shall be released on bail subject to filing of affidavit at the instance of the informant, on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case.

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

RKS