

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5813 of 2022

Pramod Kumar Swain and another ***Petitioners***
Mr. S.K. Bhanjadeo, Advocate
-versus-
State of Odisha ***Opposite Party***
Mr. A.N. Das, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.06.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
4. It is alleged that the informant had married the co-accused person, namely, Prasanta Kumar Swain as per the Hindu Rights and Rituals of the year 2006. Thereafter, the informant was tortured both mentally and physically. It is further alleged that the co-accused person has filed a divorce case against the informant and on 19.04.2022, a notice was receipt by the informant from the learned Judge, Family Court, Bhubaneswar. Hence this case.
5. It is submitted by learned counsel for the petitioners that the petitioners are parents-in-law of the informant and they have no

knowledge about the alleged incident as foresaid. Due to matrimonial disturbance between the informant and her husband, the present case has been foisted against the petitioners. Further, learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is directed that in the event the petitioners surrender before the learned S.D.J.M.(S), Cuttack in G.R. Case No.600 of 2022, arising out of Cuttack Mahila P.S. Case No.58 of 2022 within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper.

7. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(*A.K. Mohapatra*)
Vacation Judge