

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5966 of 2022

Gangadhara Jena* *Petitioner

Mr.S.R. Paikray, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr.Arupananda Das,
Addl. Government Advocate*

CORAM:

JUSTICE S.K. SAHOO

ORDER

21.06.2022

Order No.

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

Heard the learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Soro P.S. Case No. 491 of 2021 corresponding to C.T. No.1051 of 2021 pending in the Court of learned J.M.F.C., Soro for the commission of the alleged offences punishable under sections 498-A, 302/34 of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner is the husband of the deceased and he was not present in the spot house when the deceased committed suicide. It is further submitted that in view of the available

materials on record, the ingredients of the offence under section 302 of the Indian Penal Code are not attracted. He further submitted that the deceased was having an extra-marital relationship with a person and both of them while in a compromising position were caught red-handed by the mother-in-law for which the deceased committed suicide and thereafter, the present case has been foisted against the petitioner.

Learned counsel for the State opposed the prayer for anticipatory bail.

In view of the nature and gravity of accusation, while not inclining to grant anticipatory bail to the petitioner, liberty is granted to him to surrender and move for bail in the Court below within a period of four weeks from today in the event of which the learned Courts below shall dispose of the same in accordance with law. The case records shall be made available to the Courts concerned for disposal of the bail application.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo