IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6719 of 2022

Sunit Kumar Sahukar .... ***Petitioner***

Mr. Jnyanananda Panda, Advocate

-versus-

State of Odisha .... ***Opposite Party***

Mr. Shashank Patra, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
24.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.

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/341/323/506/307/34, I.P.C. and Section 4 of the D.P. Act.

4. Learned counsel for the Petitioner submits that Petitioner is the husband of the Informant.

5. Considering the 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 J.M.F.C., M.Rampur in C.T. Case No.201 of 2022 corresponding to

M.Rampur P.S. Case No.130 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, but subject to the following further conditions –

(i) that, while on bail, the Petitioner shall not threaten, terrorise, ill-treat or harass the Informant and her family members or the prosecution witnesses in any manner whatsoever; and

(ii) Petitioner being the husband, shall take care of the Informant so long as the matrimonial relationship subsists between them as per law. Also, he shall provide day-to-day expenses of the Informant in all respect for her survival.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

S.K.Parida