

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7890 of 2022

Bijay Behera @ Happy Behera and Petitioners
another

Ms. Umarani Panda, Advocate

-versus-

State of Odisha

Opp. Party
Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Learned counsel for the petitioners is permitted to make necessary correction so far as the name of the P.S. is concerned in the cause title of the bail application in Court today.
3. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
4. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
5. The petitioners seeking pre-arrest bail in connection with G.R. Case No.1509 of 2022, arising out of Jagatpur P.S. Case No.246 of 2022 pending in the court of learned J.M.F.C.(Rural), Cuttack for commission of offence punishable under Sections 498-A/294/323/506/34, I.P.C. read with Section 4 of the D.P. Act.
6. It is submitted by learned counsel for the petitioners that Due to disturbance between the husband and wife, the present has been lodged

against the petitioner. The petitioner no.1 is the husband of the informant and petitioner no.2 is the aunt (wife of the uncle). She suspects that the petitioner no.1 has illicit relationship with the petitioner no.2. On that ground, there was quarrel between the husband and wife and at last, informant lodged the present case against the petitioners.

7. 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 court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper.

8. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

