

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8041 of 2022

Gangadhar Behera

.... ***Petitioners***
Mr. J.K. Panda, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.09.2022

Order No.

06.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner 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. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.1678 of 2022, arising out of Tangi P.S. Case No.152 of 2022 pending in the court of learned J.M.F.C., Rural, Cuttack for commission of offences punishable under Sections 498-A/302/304-B/34, I.P.C. read with Section 4 of the D.P. Act.
5. It is submitted by learned counsel for the petitioner that the petitioner is the elder brother of the husband of the deceased. So far as the present petitioner concerned, there is omnibus allegation of demand dowry. It is further submitted by learned counsel for the petitioner that the petitioner does not have any specific rule 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 petitioner. However, it is directed that in the event the petitioner surrenders and moves application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioner shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever;
- II. he shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- III. he shall not default in attendance of the court during trial on each date of posting.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge