

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8613 of 2022

Lochan Dhal & Others

....

Petitioners

Mr. Kshirod Kumar Rout, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

10.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 498-A/302/34, I.P.C.
4. It is submitted by learned counsel for the Petitioners that the principal accused is the husband of the deceased, who has been arrested and released on bail vide order dated 01.08.2022 passed by the learned Sessions Judge, Kendrapara in BLAPL No.295 of 2022. So far as the present Petitioners are concerned, it is submitted that Petitioner No.1 – Lochan Dhal is the mother-in-law, Petitioner No.2 – Surajita Dhal is the brother-in-law and Petitioner No.3 – Soudamini Dhal is the sister-in-law respectively of the deceased.

5. Considering the aforesaid submission and considering the fact that the principal accused has already been enlarged on bail by the learned court below, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender before the learned J.M.F.C., Aul in G.R. Case No.393 of 2022 corresponding to Rajkanika P.S. Case No.200 of 2022 within a period of three weeks from today, the Petitioners 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, subject to verification of the fact that the principal accused (husband of the deceased) has been released on bail by the learned Sessions Judge, Kendrapara.

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge