

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.8628 of 2022**

|                                         |                        |                                 |
|-----------------------------------------|------------------------|---------------------------------|
| <b><i>Pramoda Dalei and another</i></b> | ....                   | <b><i>Petitioners</i></b>       |
|                                         |                        | <i>Mr. J. Patnaik, Advocate</i> |
|                                         | <b><i>-versus-</i></b> |                                 |
| <b><i>State of Odisha</i></b>           | ....                   | <b><i>Opp. Party</i></b>        |
|                                         |                        | <i>Mr. M.K. Mohanty, A.S.C.</i> |

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**  
**29.07.2022**

**Order No.**

01.        1.        This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2.        Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3.        This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4.        The petitioners are seeking pre-arrest bail in connection with Special G.R. Case No.13 of 2022, arising out of Khandapada P.S. Case No.25 of 2022 pending in the court of learned A.D.J.-cum-Special Court, POCSO, Nayagarh for commission of offence punishable under Sections 363/366/376(2)(n)/294/506/34, I.P.C. read with Section 6 of the POCSO Act.
5.        It is submitted learned counsel for the petitioners that on promise of marry, the principal accused Badal Dalei, who had kept sexual intercourse on consent of the daughter of the informant. However after the occurrence, the principal accused refused to marry

the daughter of the informant and the informant went to the house of the principal accused where the family members abused the informant in filthy languages and did not agree with the marriage proposal. Therefore, the present case has been lodged against the petitioner and other family members.

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 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.

7. Accordingly, the ABLAPL is disposed of.

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

