

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8911 of 2022

Ajay Bishoi @ Tuku and another ***Petitioners***
Ms. Umarani Panda, Advocate
-versus-

State of Odisha ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

26.08.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners and learned 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 G.R. Case No.913 of 2022, arising out of CDA-2 P.S. Case No.78 of 2022 pending in the court of learned S.D.J.M.(Sadar), Cuttack for commission of offence punishable under Sections 498-A/494/306/34, I.P.C.
 5. It is submitted by learned counsel for the petitioners that the petitioners are employees of the husband of the deceased victim. He further submits that there is no specific material to implicate the petitioners in the alleged crime. It is further submitted that the victim is undergoing treatment in S.C.B. Medical College and Hospital. He further submits that the victim had assaulted by her husband brutally and also given medical treatment.

6. However, on perusal of the record, this Court finds that there is no direct material to implicate the present petitioners in the alleged crime.

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 and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, the petitioners shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioners shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- II. they 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.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge