

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9376 of 2022

Bijaya Mahakud & another

....

Petitioners

Mr. C.R.Pattnaik, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P.K.Rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

08.08.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioners and the learned Additional Standing Counsel. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioners that the allegation made in the F.I.R. by the informant is false and concocted. It is contended that the informant being an arrogant lady on the instigation of her parents such F.I.R. has been lodged before the Police. It is also submitted by the learned counsel for the Petitioners that there is no material to show that the informant was tortured by her in-laws family members for dowry but on the instigation of her family members she was voluntarily left her matrimonial house and residing with her parents and has not returned

despite requests of the Petitioners.

5. Considering the nature of allegations made, gravity of the 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 S.D.J.M., Keonjhar in G.R.Case No.1227 of 2022 arising out of Pandapada P.S.Case No.76 of 2022 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate with further condition that the Petitioners shall not threaten, terrorise, harass the informant and her family members in any manner whatsoever. Violation of condition shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

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

