

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9983 of 2022

Sagar Saurav Jena

....

Petitioner

-versus-

State of Odisha

....

Opposite Party

CORAM: JUSTICE S. PUJAHARI

ORDER

22.09.2022

Order
No.

- 01.
1. This matter is taken up through hybrid mode.
 2. The Petitioner apprehending his arrest in Bhubaneswar Mahila P.S. Case No.67 of 2022 registered for alleged commission of offences punishable under Sections 498-A, 294 read with Section 34 of the I.P.C. and Section 4 of the Dowry Prohibition Act, 1961, has filed this petition for his release on pre-arrest bail.
 3. Heard the learned counsel for the Petitioner and the learned counsel for the State-Opposite Party.
 4. It appears that the Petitioner had earlier approached this Court vide ABLAPL No.15146 of 2021, which was dismissed, as the case against him not registered then, giving liberty to the Petitioner to file an application when a case is registered. Now the Petitioner has come to this Court by filing this application.
 5. It also appears that the matter arises out of marital discord and the Petitioner is the husband of the Informant.

6. Considering the facts and submissions made, especially the nature of accusation, character of incriminating materials, circumstances in which the offences stated to have been committed, the fact that the matter arises out of marital discord and also it being not disputed that the Petitioner's release on pre-arrest bail shall not be an hindrance to a free and fair investigation, this Court is of the view that the Petitioner has made out a case for his release on pre-arrest bail, more particularly when he is ready and willing to cooperate with the investigation and he has no chance of absconding and/or tampering with the prosecution evidence, if released on pre-arrest bail.

7. Hence, this Court directs that in the event of arrest of the Petitioner in connection with the aforesaid case, he be released on bail by the Officer effecting arrest on such terms and conditions as deemed just and proper.

8. However, the aforesaid order is subject to the condition that the Petitioner shall cooperate with the investigation and no other graver offence is reported against the Petitioner besides the aforesaid offences.

9. The ABLAPL is, accordingly, disposed of being allowed.

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

(S. Pujahari)
Judge

DA