

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9992 of 2022

Pradipta Kumar Behera and others ***Petitioners***
Mr. S.K. Nayak, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

07.09.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners and learned 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 G.R. Case No.2047 of 2022, arising out of Tihidi P.S. Case No.336 of 2022 pending in the court of S.D.J.M., Bhadrak for commission of offence punishable under Sections 498-A/304-B/302/34, I.P.C. read with Section 4 of the D.P. Act.
 5. It is submitted by learned counsel for the petitioners that the petitioners are in-law of the deceased. He further submits that there is omnibus allegation against the petitioner for demand of dowry. It is also submitted that the victim committed suicide herself by closing the door inside and the petitioners rescued her and shifted to medical for her treatment.

6. Considering the nature of allegation, gravity of offence and the facts 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, they shall be released on bail on such terms and conditions as would be deemed just and proper with the further conditions that:-

- I. The petitioners shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever;
- II. they shall not default in attendance of the court during trial on each date of posting; and
- III. they shall cooperate with the Investigating Officer as and when required for purpose of investigation.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge