

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10000 of 2022

Sibananda Sethi @ Shibnanda ***Petitioner***
Satyabhanu @ Babul

Mr. A.K. Mishre-3, Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

23.08.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
 3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
 4. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.308 of 2020, arising out of Bolagarh P.S. Case No.43 of 2020 pending in the court of learned S.D.J.M., Khurda for commission of offence punishable under Sections 366/294/506/34, I.P.C.
 5. It is submitted learned counsel for the petitioner that the victim is a major girl. It is further submitted by learned counsel for the petitioner that the marriage has been solemnized between the petitioner and the victim in the meantime and the marriage certificate dated 21.06.2022, which has been annexed under Annexure-3 to the

bail application.

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 petitioner. However, it is directed that in the event the petitioner surrender before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper.

7. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify the genuineness of the marriage certificate, which has been annexed to the bail application by the petitioner. In the event it is found that the said marriage certificate is not genuine, this bail order shall automatically stand revoked.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge