

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10489 of 2022

Liza @ Lija Malik & Others ***Petitioners***
Mr. Subrat Kumar Das, Advocate

-versus-

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

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
06.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 498-A/323/325/307/34, I.P.C. and Section 4 of the D.P.Act.
4. It is submitted by learned counsel for the Petitioners that so far as commission of the offence under Section 307, I.P.C. is concerned, that allegation is against the husband of the Informant, who is the principal accused in this case. But, so far as the present Petitioners are concerned, they are in-law family members of the Informant.
5. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant

anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned J.M.F.C., Soro in C.T. Case No.783 of 2022 corresponding to Soro P.S. Case No.368 of 2022 within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case.

6. While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) While on bail, the Petitioners shall not threaten, terrorise, ill-treat, harass the Informant and her family members or shall not try to influence the prosecution witnesses in any manner whatsoever;
- (ii) They shall appear before the I.O. and shall cooperate with the investigation as and when required.

Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

7. The ABLAPL is disposed of accordingly.

8. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge