

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10666 of 2022

***Dipti Ranjan Nayak @ Pinku
Nayak***

Petitioner

....
Mr.Srikanta Panda, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.S.Patra, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER

10.10.2022

Order No.

03. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 363, 366(A), 294, 506/109 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioner that the victim is a major girl and she had married to the Petitioner and at the moment, they are staying together and leading a happy conjugal life. It is also submitted by the learned counsel for the Petitioner that the statement of the victim recoded under section 164 Cr.P.C. reveals that earlier she stayed away from the Petitioner and on attaining the age of 18 years, she married to the Petitioner and leading a happy conjugal life.

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 Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Bhubaneswar in C.T. Case No.876 of 2013 arising out of Bhubaneswar Mahila P.S. Case No.50 of 2013 within a period of three weeks from today, he 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.

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

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) He shall not threaten, influence, terrorise or harass the informant in any manner whatsoever while on bail;
- (iii) He shall appear before the trial court on each and every date fixed.

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

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge