

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.10698 of 2022**

***Jiten Kumar Potal @ Puthal and others*** .... ***Petitioners***

*Mr. Mithun Das, Advocate*

*-versus-*

***State of Odisha*** ....

***Opp. Party***

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

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**27.09.2022**

**Order No.**

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
  2. Learned counsel for the petitioners is permitted to make necessary corrections in the cause title of the bail application in Court today.
  3. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
  4. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
  5. The petitioners are seeking pre-arrest bail in connection with C.T. Case No.377 of 2022, arising out of Karanjia P.S. Case No.231 of 2022 pending in the court of learned S.D.J.M., Karanjia for commission of offences punishable under Sections 498-A/302/304-B/34, I.P.C. read with Section 4 of the D.P. Act.
  6. It is submitted by learned counsel for the petitioners that the petitioners are in-law and family members of the deceased. It is

further submitted by learned counsel for the petitioners that the husband of the deceased, namely, Amit Kumar Pradhan, who is the principal accused in the present case. It is also submitted that the principal accused, who is the husband of the deceased, tortured the victim and at last, the victim committed suicide.

7. Further, it is alleged that after marriage, the victim and the husband are staying at Bangalore as husband and wife. While staying at Bangalore, one day the husband of the deceased left his wife alone at Bangalore for 8 to 10 days. A missing report was lodged by the deceased at the local police station, Bangalore. During course of enquiry, the police traced out the husband of the deceased at Hyderabad where the husband of the deceased had earlier married to a Muslim lady. Thereafter, he started torture to the deceased.

8. So far as the present petitioners are concerned, they are no way connected in the alleged overt act and the entire allegations are against principal accused-husband.

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

- I. The petitioners shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- II. they shall not threaten, harass and terrorize the

informant and her /his family members in any manner whatsoever;

- III. they shall not indulge in similar criminal antecedents while on bail; and
- IV. they shall not default in attendance of the court during trial on each date of posting.

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

10. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

