

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10732 of 2022

Daitary Swain & Another

.... ***Petitioners***
Mr.S. Mishra, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S. Jena, ASC

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
28.09.2022**

Order No.

01. 1. This matter is taken up through hybrid arrangement (hybrid/physical) mode.
2. The petitioners by carrying this application under section 438, Cr.P.C. have prayed for their release on bail in the event of their arrest in connection with Jatni P.S. Case No.194 of 2019 corresponding to G.R. Case No.632 of 2019 pending in the court of the learned J.M.F.C., Jatni for alleged commission of offence under sections 498(A)/304-B/506/34, I.P.C. read with section 4 of the D.P. Act.
3. Heard learned counsel for the Petitioners and learned counsel for the State.
4. Considering the submissions made and on going through the materials as placed as also taking into account the

surrounding circumstances, while being not inclined to consider the prayer for grant of anticipatory bail to the Petitioners; this application stands disposed of with an observation that in the event the Petitioners surrender before the court in seisin of the case within a period of four weeks and move for their release on bail, the same shall be considered on its own merit further taking into account all the developments which have taken place subsequent to the incident including the factum of grant of regular bail to the husband of the deceased, in their proper prospective and disposed of in accordance with law without being influenced by this order during the first half of the day so as to enable the Petitioners in case necessity so arises, to approach the next higher forum in the second hour for its disposal in course of the day unless there stands any legal impediment. The case record be transmitted at the cost of the Petitioners.

5. The ABLAPL is accordingly disposed of.
6. Issue urgent certified copy as per rules.

(D.Dash)
Judge