

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10852 of 2022

Pitambar Nath and others

.... Petitioners
Mr. S.K. Nath, Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.1086 of 2022, arising out of Mahila P.S. Case No.100 of 2022 pending in the court of learned S.D.J.M., Cuttack for commission of offence punishable under Sections 498-A/323/506/, I.P.C. read with Section 4 of the D.P. Act.
5. It is submitted by learned counsel for the petitioners that the petitioners are in-laws of the informant.
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 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, petitioner 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 default in attendance of the court during trial on each date of posting;
- III. while on bail, they shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever; and
- IV. they shall also lookafter well being by the petitioner and shall provide maintenance in sustenance of the informant while on bail.

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

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge