

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10855 of 2022

Mittendra Bhuyan

....

Petitioner

Mr. S.K. Mohanty, Advocate

-versus-

State of Odisha and another

....

Opposite Party

Mr. S. Mishra, 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. Heard learned counsel for the Petitioner as well as learned counsel for the State. Perused the F.I.R., case diary and other relevant documents as well as statement of the witnesses.
3. This is an application under Section 439 of the Criminal Procedure Code.
4. The petitioner is an accused in connection with Berhampur Mahila P.S Case No.47 of 2021 pending in the court of learned S.D.J.M., Berhampur for commission of offence punishable under Sections 498-A/294/323/506, I.P.C. read with Section 4 of the D.P. Act. Further, it is submitted that investigation has been concluded in the meantime and charge-sheet no.66 dated 31.05.2021 has been submitted.
5. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner

surrenders and moves 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, he shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioner shall not default in attendance of the court during trial on each date of posting;
- II. while on bail, he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever; and
- III. he shall also lookafter the well being of the informant and shall provide maintenance to the informant-wife while on bail.

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

6. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge