

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11246 of 2022

Jayanti Patra & another

.... ***Petitioners***

Mr. P.C.Jena, Advocate

-versus-

State of Odisha

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

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

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

**ORDER
15.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 498-A, 323, 324, 307, 379, 494, 506/34 of the Indian Penal code.
4. It is submitted by the learned counsel for the Petitioners that the Petitioners are married sister-in-law of the informant and after their marriage they are staying separately from the informant. It is submitted by the learned counsel for the Petitioners that the injuries are simple in nature.

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 Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned J.M.F.C., Jaleswar in C.T.No.366 of 2022 corresponding to Jaleswar P.S. Case No.324 of 2022 within a period of three weeks from today, they 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, but subject to verification of injury.

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

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) They shall not threaten, influence, terrorise or harass the informant and her family members in any manner whatsoever.;
- (iii) They shall appear before the trial court on each date fixed for trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner. On the date of surrender, the case diary and injury report shall be made available.

7. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge