

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11768 of 2022

Sumitra Behera & Others

....

Petitioners

Mr. Pabitra Kumar Nayak, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashanka Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

21.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
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/294/323/506/507/34, I.P.C. & Section 4 of D.P. Act.
4. Petitioners are stated to be in-law family members of the Informant. It is further submitted by learned counsel for the Petitioners that the allegations made in the F.I.R. are omnibus in nature.
5. Considering such submission, nature 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 S.D.J.M., Sambalpur in G.R. Case No.3490 of 2022 corresponding to Sambalpur Mahila P.S. Case No.77 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.

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

- (i) The Petitioners shall cooperate with the investigation and shall appear before the I.O. as and when required for the said purpose.
- (ii) They shall not threaten, terrorise, ill-treat or harass the Informant and her family members including the prosecution witnesses in any manner whatsoever, while on bail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge