

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11775 of 2022

***Habibur Bibi @ Habibun Bibi &
Others***

....

Petitioners

Mr. Purna Chandra Mishra, 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/506/323/325/307/494/34, I.P.C. Section 4 of the D.P. Act.
4. It is submitted by learned counsel for the Petitioners that the present Petitioners are in-law family members of the Informant, and the allegation of offence under Section 307, I.P.C. is against the husband of the Informant.
5. Considering such submission, 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., (R), Cuttack in G.R. Case No.2117 of 2022 corresponding to Tangi P.S. Case No.176 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.

However, 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;
- (ii) They shall not threaten, terrorise, ill-treat, harass or influence the Informant and her family members 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