

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11801 of 2022

Sudhansu Sekhar Nayak ***Petitioner***
Mr. S.K. Panda, Advocate
-versus-
State of Odisha ***Opp. Party***

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.10.2022

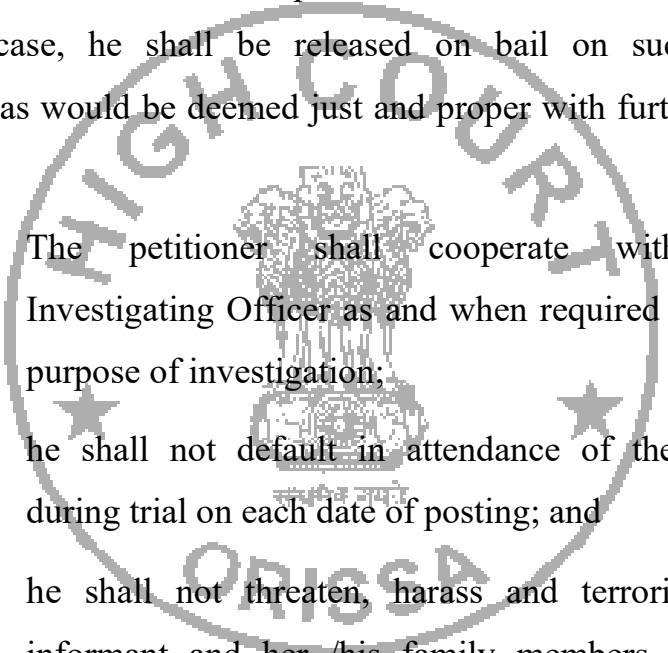
Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. This is an application under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.1205 of 2022 arising out of Tangi P.S. Case No.105 of 2022 pending in the Court of learned J.M.F.C.(R), Cuttack for alleged commission of offences under Sections 498-A/302/304-B/34, I.P.C. read with Section 4 of the D.P. Act.
4. It is submitted by learned counsel for the petitioner that the petitioner no way involved in the alleged crime. As per statement of the independent witnesses, learned counsel for the petitioner submits that on the fateful day, the deceased tussle with the in-laws for demand of additional dowry as a result of which the deceased consumed poison of pesticide. He further contended that none of the independent witnesses have stated anything against the present petitioner. It is also submitted

that there is allegation of harassment and torture by the husband of the deceased.

5. Further, it is submitted by learned counsel for the petitioner that in the meantime, investigation has been concluded and charge-sheet has been filed.

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 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 :-

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- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
 - II. he shall not default in attendance of the court during trial on each date of posting; and
 - III. he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever.

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.

