

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11956 of 2022

Ajay Kumar Dash @ Das & Others ***Petitioners***
Mr. Prasant Kumar Barik, Advocate

-versus-

State of Odisha & another ***Opposite Parties***
Mr. Shashanka Patra, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
22.09.2022

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/294/323/506/34, I.P.C. and Section 4 of the D.P. Act.
4. Considering the seriousness of the allegation, gravity of the offence and 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., Jajpur Town in G.R. Case No.1652 of 2022 corresponding to Mangalpur P.S. Case No.407 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 the following further conditions –

(i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required;

(ii) While on bail, the Petitioners shall not threaten, terrorise, ill-treat or harass the Informant and her family members or the prosecution witnesses in any manner whatsoever; and

(iii) Petitioner No.1 being the husband, shall take care and look after the wellbeing of the Informant so long as the matrimonial relationship subsists between them as per law. Also, he shall provide day-to-day expenses of the Informant in all respect for her survival.

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

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

(A.K. Mohapatra)
Judge