

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12092 of 2022

Sukanta Swain and another

Petitioners

....
Mr. Bidhubhusana Mohapatra, Advocate

-versus-

State of Odisha

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

Mr. M.K. Mohanty, A.S.C.

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

**ORDER
24.09.2022**

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, 494, 307, 341, 323, 294, 354, 506/34 of the Indian Penal Code read with Section 4 of the D.P. Act.
4. It is submitted by the learned counsel for the Petitioner that initially a complaint case was filed. Thereafter pursuant to the direction of the concerned Magistrate, Mahakalpada P.S. Case No. 163 of 2022 has been registered for commission of the offence under sections 498-A, 494, 307, 341, 323, 294, 354, 506/34 of the Indian Penal Code read with Section 4 of the D.P. Act.

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 Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned S.D.J.M., Kendrapara in I.C.C. Case No.271 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 with further conditions that the Petitioners while on bail shall not threaten, influence, terrorise or harass the informant and her family members in any manner whatsoever. It is also directed that the Petitioners shall also look after the well being of the informant and shall provide maintenance to the informant so long as the matrimonial dispute subsists.

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

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

RKS