

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.12095 of 2022**

***Hrudananda Behera***

***Petitioner***

....  
*Mr.Sudeep Kumar Sarangi,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 Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 498-A, 307, 323,326,294,506 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioner that the F.I.R. has been lodged by the sister-in-law of the Petitioner. It is further alleged that their marriage took place since last 16 years. Due to misunderstanding between the husband and wife the present F.I.R. has been lodged making allegation against the Petitioner. It is further submitted by the learned counsel for the Petitioner that the matter has been amicably settled and the Petitioner and the informant are staying as husband and wife and leading a happy conjugal life.

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., Khurda in G.R.Case No.702 of 2018 arising out of Khurda P.S. Case No.295 of 2022 within a period of three weeks from today, he 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 informant filing an affidavit stating that she is living with the Petitioner happily.

6. The ABLAPL is disposed of accordingly.

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

**(A.K. Mohapatra)**  
**Judge**

RKS

