

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13069 of 2022

Tapas Kumar Das @ Tapas Das

Petitioner

....

Mr.P.C.Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

13.10.2022

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, 323, 312, 354, 506/34 of the Penal Code read with Section 4 of D.P. Act.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is the husband of the informant.
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., Nilagiri in C.T. Case No.399 of 2022 corresponding to

Nilagiri P.S. Case No.260 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.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) He shall look after the well being of the informant and to provide maintenance to the informant as per law;
- (iii) He shall appear before the court on each and every date fixed.

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