

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13095 of 2022

Jyoti Ranjan Swain

....

Petitioner

Mr. D.K. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashanka Patra, A.S.C.

Mr. S.K. Panda, Adv. for Informant

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

17.11.2022

Order No.

03. 1. Heard learned counsel for the Petitioner and the State.
2. By means of this application, the Petitioner seeks grant of bail under Section 438, Cr.P.C. in anticipation of arrest for his alleged involvement in the offence under Sections 498-A/323/307/294/506/34, I.P.C. and Section 4 of the D.P. Act, in connection with Niali P.S. Case No.396 of 2022 corresponding to the G.R. Case pending in the court of learned J.M.F.C., Niali.
3. Petitioner is the husband of the victim-informant. It is submitted by learned counsel for the Petitioner that there is series of developments taken place in the meantime in connection with compatibility of the victim and the Petitioner and they have now started living together peacefully.
4. Considering the submissions of the parties, having gone through the nature of allegations as emerged from the materials on record, the circumstances appearing, seriousness and gravity of the offence, it is

directed that in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C., Niali in the aforesaid G.R. Case / P.S. Case within a period of three weeks hence, he shall be admitted to bail on such terms and conditions as would be deemed just and proper by the said court, but subject to verification of the fact that any such development has taken place between the Petitioner and the victim-Informant has agreed to have compromise in the meantime.

5. This bail order is also subject to the following further conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation, as and when required;
- (ii) He shall also appear before the trial court on each date of trial, without fail, till conclusion of the trial unless exempted specifically.
- (iii) He shall not threaten, terrorise, ill-treat or harass the Informant and her family members including the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever.
- (iv) Violation of any of the conditions, as above, shall entail cancellation of the bail automatically.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge