

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13212 of 2022

Subhrajit Ojha

....

Petitioner

Mr. G.G. Mohapatra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Debasis Biswal, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

19.12.2022

Order No.

03.

1. Heard learned counsel for the Petitioner and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences U/s.498-A/323/313/34 IPC read with Section 4 of the D.P. Act.
3. Learned counsel for the Petitioner fairly submits that any dowry articles in the matrimonial house will be returned according to a list including the gold ornaments and the learned counsel appearing for the Informant submits to acknowledge the same fairly besides as regards the personal expenses of the bride, a sum of Rs.10,000/- (rupees ten thousand) will be paid to the Informant against which she will issue an acknowledgement which will be filled along with bail application before the learned court in seisin over the matter. The offence under Section 313 is not prima facie made out in respect to the case against the medical report.

4. Considering the aforesaid facts, the circumstances appearing, the seriousness and gravity of the offences, while this Court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioner surrenders in connection with Bhubaneswar Mahila P.S. Case No.129 of 2022 corresponding to C.T. Case No.6097 of 2022 pending in the court of learned S.D.J.M., Bhubaneswar within a period of two weeks' hence and moves for bail, he shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that he shall appear in person before the court below on each date of posting of the case unless specifically exempted by the court concerned with the further conditions that he shall appear before the IO as and when required, shall not threaten or intimidate the Informant party in any manner whatsoever and shall cooperate with the investigation. Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. It is made clear that the Petitioner remit a sum of Rs.10,000/- (rupees ten thousand) to the Informant against which she will issue an acknowledgement which will be filed along with bail application before the learned court in seisin over the matter.

6. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge