

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13364 of 2022

Rasbihari Mohanty

.... ***Petitioner***
Mr. B.S. Das, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.10.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
4. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.865 of 2022, arising out of Nemalo P.S. Case No.178 of 2022 pending in the court of learned J.M.F.C., Nemalo, Salipur, Cuttack for commission of offences punishable under Sections 498-A/294/ 323/494/506/34, I.P.C. read with Section 4 of the D.P. Act
5. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and

conditions as would be deemed just and proper with further conditions that :-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation;
- II. he shall not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever; and
- III. he shall provide monthly maintenance of Rs.4,000/-(rupees four thousand) to the informant-wife which shall be fixed by maintenance of any competent court of law and shall go in paying the same till arrival of compromise.

Violation of any of the terms and conditions shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge