

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13416 of 2022

Damayanti Giri & another ***Petitioners***
Mr. Asit Kumar Jena, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
19.10.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 498-A/323/294/307/506/34, I.P.C. and Section 4 of the D.P. Act.
4. Learned counsel for the Petitioners submits that the Petitioners are in-law family members of the victim. Further referring to the Injury Report annexed to the bail application, it is submitted that the injuries caused to the injured are simple in nature.
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 Petitioners, however it is observed that, in the

event the Petitioners surrender and move for bail before the learned J.M.F.C. (R), Balasore in C.T. Case No.932 of 2021 corresponding to Rupsa P.S. Case No.120 of 2021 within a period of three weeks from today, they 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 Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) They shall not threaten, terrorise, ill-treat or harass the Informant and her family members as well as the prosecution witnesses in any manner whatsoever.

Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

- 6. The ABLAPL is disposed of accordingly.
- 7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge