

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13524 of 2022

Sabitri Dehuri

..... Petitioner

Mr. Jyotirmaya Sahoo, Advocate

-versus-

State of Odisha

..... Opposite Party

Mr. Debasish Biswal, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

30.11.2022

Order No.

02.

1. Heard learned counsel for the Petitioner and the State.

2. By means of this application, the Petitioner seeks grant of bail U/s.438 Cr.P.C. in apprehension of arrest for her alleged involvement in the offences U/s. 498-A/294/323/494/506/34, I.P.C. and Section 4 of the D.P. Act, in connection with Narsinghpur P.S. Case No.200 of 2022 corresponding to C.T. Case No.324 of 2022 pending in the court of learned J.M.F.C., Narsinghpur.

3. It is submitted by the learned counsel for the Petitioner that the allegations appearing in the FIR cannot be made applicable to the present Petitioner as she is neither the relative of the husband of the informant nor connected in any manner. The allegations that she is the woman with whom there exists an extramarital affair is far from truth and as such she is entitled to be considered for bail.

4. Keeping in view the nature of allegations, the circumstances appearing in the case and the seriousness and gravity of the offence, while this Court is not inclined to grant anticipatory bail, it is directed that, in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C., Narsinghpur in the aforesaid C.T. Case within a period of three weeks hence, she shall be admitted to bail on such terms and conditions as would be deemed just and proper by the said court, but 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) She shall also appear before the trial court on each date of trial, without fail, till conclusion of the trial.
- (iii) She shall not terrorize, intimidate, 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, while on bail.

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

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida