

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14011 of 2022

***Bijayalaxmi Maharana and
Others***

....

Petitioners

Mr. Suryakanta Dwibedi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Patra, ASC

Mr. Abhisek Patnaik, Advocate for the Informant

**CORAM:
JUSTICE CHITTARANJAN DASH**

ORDER

06.12.2022

Order No.

03. 1. Heard learned counsel for the Petitioners, learned counsel for the State and learned Counsel for the Informant.
2. This is an application for bail U/s. 438 Cr.P.C. filed by the Petitioners in apprehension of arrest for their alleged involvement in the offences U/s. 498(A) and 306/34 of IPC read with Section 4 of DP Act.
3. Keeping in view the submission of the parties, the nature of allegations as emerged from the materials on record, the circumstances appearing, the seriousness and gravity of the offences, while this Court is not inclined to grant the anticipatory bail, it is directed that in the event the Petitioners surrender and move for bail in connection with Baliana PS Case No. 364 of 2022 corresponding to GR Case No. 1123 of 2022 pending in the court of learned JMFC (O), Bhubaneswar within a period of three weeks

hence and move for bail, they shall be released on such terms and conditions as would be deemed just and proper by the said court subject to the condition that the petitioners shall allow the members of the informant parties that is the parents and other relatives of the deceased to visit and interact with the child with further conditions that they shall appear in person before the court below on each date of posting of the case unless specifically exempted by the court concerned with further condition as follows:-

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) They shall not indulge in threatening, terrorizing or intimidating to the members of informant party in any manner whatsoever while on bail and
- (iii) A common place is to be decided by the Informant party and the Petitioner and both parties on consent shall disclose the name of such common relatives/friends before the learned Court below in seisin over the matter for the visit and interaction to avoid the complicity at least once a week.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge