

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14677 of 2022

Manoja Kumar Mishra

....

Petitioner

Ms. Pratyusha Naidu, Advocate

-versus-

State of Odisha and another

....

Opp. Parties

Mr. M.K. Mohanty, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

01.12.2022

Order No.

- 01.
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/354-A/506/323/34 IPC read with Section 4 of the D.P. Act.
 3. Learned counsel for the Petitioner submits that pursuant to the divorce petition filed by the Petitioner on 29th July, 2022, as a counter blast the present FIR is intended. Further that the alleged assault made by the Petitioner is as back as in the year 2018 and the Informant is residing with her parents since 2018. It is also submitted that the Petitioner is ready to pay the expenses of the Informant and the child and he too is sending money to the tune of Rs.4,000/-.
 4. Keeping in view the submission of the parties, the nature of allegations, 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 Petitioner surrenders in connection with Bhubaneswar Mahila P.S. Case No.145 of 2022 corresponding to C.T. Case No.6600 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. The Petitioner is directed to furnish proof of payment so far made before the court in seisin over the matter and shall keep remitting Rs.4000/- by 5th of every succeeding month towards the day to day expenses and file the proof thereof in the court and further to take responsibility of the child's study on the request of the informant through court.

6. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge