

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.3504 of 2022

Chudamani Bag

.... Petitioner
Mr. S.S. Ray-2, Advocate

-Versus-

State of Odisha

.... Opposite Party
Mr. S.S. Mohapatra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
28.11.2022

Order
No.
01.

1. Heard learned counsel for the petitioner and learned counsel for the State-opposite party No.1.
2. In the instant case, the challenge is to the criminal proceeding and its continuation before the court of learned S.D.J.M., Sundargarh in connection with G.R. Case No.1648 of 2022 corresponding to Lephripada P.S. Case No.185 of 2022 on the grounds stated therein.
3. A copy of the FIR is at Annexure-1 and the same is perused by the Court which indicates that later to the lodging of the report, Lephripada P.S. Case No.185 of 2022 was registered under Section 498-A IPC and other allied offences besides Section 4 of the Dowry Prohibition Act.
4. Learned counsel for the petitioner submits that the petitioner is the husband of the victim and he had approached this Court earlier for anticipatory bail which was refused to him and considering the nature of allegations as revealed from Annexure-1,

the limited prayer is that he should be directed to surrender and released on bail which is objected to by Mr. Mohapatra, learned counsel for the State and he refers to the allegations in the FIR with regard to the abuse, assault and demand of Rs.1.5 lac from the parents of the victim. The Court perused Annexure-1. In the FIR, there is no specific allegation as to the nature of involvement of the petitioner. The allegation which has been made by the informant is directed against her in-laws and in particular, mother-in-law. According to learned counsel for the petitioner, the informant's mother-in-law has already been released on bail in the meantime.

5. Considering the above facts, nature of allegations as evident from Annexure-1 and extent of involvement of the petitioner with regard to the ill-treatment meted out to the informant, the Court is of the view that though it is not a case for quashing the criminal proceeding but the petitioner should be directed to surrender and go on bail subject to conditions.

6. Accordingly, it is ordered.

7. In the result, the CRLMC stands disposed of with a direction to the petitioner to surrender before the learned S.D.J.M., Sundargarh in connection with G.R. Case No.1648 of 2022 arising out of Lephripada P.S. Case No.185 of 2022 on or before 16th December, 2022 and in the event he surrenders, the court shall release him on bail with conditions as deemed just and proper in the facts and circumstances of the case.

8. Urgent certified copy of this order be granted as per rules.

(R.K. Pattanaik)
Judge

Tudu

