

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14894 of 2022

Ashok Kumar Swain

.... ***Petitioner***
Mr. L.N. Patel, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. S. Patra, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
08.12.2022**

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/323/294/506/34 IPC read with Section 4 of the D.P. Act.
3. Having regard to the narration made in the FIR, it appears that the victim wife is highly in distress condition and has taken shelter in the parental home despite the fact that the marriage took place in the year 2009 and she is accompanied by a son of 11 years old.
4. Keeping in view the nature of allegations, the circumstances appearing, the seriousness and gravity of the offences, while this Court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioner surrenders in connection with Bolagarh P.S.

Case No.242 of 2022 corresponding to G.R. Case No.1600 of 2022 pending in the court of learned S.D.J.M., Khurda 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 subject to the condition that he will remit a sum of Rs.3000/- to the informant by 5th of every succeeding month and furnish receipt before the learned court in seisin over the matter 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 the terms and condition of the bail particularly for none payment of the money as above consecutively for two months shall entail cancellation of the bail automatically.

5. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge