

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14948 of 2022

Santilata Nayak & another

.... ***Petitioners***
Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. M.K. Mohanty, A.S.C.
Mr. P.K. Biswal, Adv. for the Informant

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
09.12.2022**

Order No.

01.

1. Heard the learned counsels for the Petitioners, the Informant and the State.

2. By means of this application, the Petitioners seek grant of bail U/s.438 Cr.P.C. in apprehension of arrest for their alleged involvement in the offences U/s. 498-A/294/323/506/379/34, I.P.C. and Section 4 of the D.P. Act, in connection with Aul P.S. Case No.455 of 2022 corresponding to G.R. Case No.825 of 2022 pending in the court of learned J.M.F.C., Aul.

3. Mr. Prafulla Kumar Biswal, learned counsel appearing on behalf of the Informant submits that, in connection with the alleged incident of ill-treatment to the bride, a report was also lodged at the P.S. and the matter was settled between both the parties.

Pursuant to the F.I.R. lodged by one of the Petitioners with regard to the dispute regarding fencing the common boundary of the land, the present F.I.R. has been lodged against the Petitioners.

4. Learned counsel for the Petitioners submits that apparently the main allegations are attributed to the husband and the other allegations made against the present petitioners as in-laws are omnibus in nature.

5. Having regard to the aforesaid facts and submissions, nature of allegations, the circumstances appearing, the seriousness and gravity of the offences, while this court is not inclined to grant anticipatory bail, however it is directed that, in the event the Petitioners surrender and move for bail before the learned J.M.F.C., Aul in the aforesaid G.R. Case within a period of three weeks from today, they shall be allowed to go on 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 Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) They shall not threaten, intimidate, terrorise, 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.
- (iii) They shall make all endeavour to ensure the smooth returning of the bride (informant) to her matrimonial house and to allow a congenial atmosphere in the matrimonial house.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge