

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14997 of 2022

Rabindra Kumar Jena

....

Petitioner

Mr. G. C. Swain, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Debasis Biswal, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

Order No.

ORDER
12.12.2022

- 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)/323/307/34 IPC.
 3. It is submitted by learned counsel for the Petitioner that the FIR allegedly to have been lodged by the Informant being subjected to ill-treatment. The cause of action last arose was in the year 2020 when she left the company of her husband and shifted to Bhubaneswar. Prima-facie, there is no tangible material to make out the case under section 307 of IPC.
 4. 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, it is directed that in the event the Petitioner surrenders and moves for bail in connection with Chhend P.S. Case No.167 of 2022 corresponding to G.R. Case No.1398 of 2022 pending in the

court of learned S.D.J.M., Panposh within a period of three weeks hence and move for bail, he shall be released on such terms and conditions as would be deemed just and proper by the said court. However, if the learned court allows the Petitioner to go on bail, then the following further conditions shall be imposed:-

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required.
- (ii) he shall also appear before the trial court on each date of trial, without fail, till conclusion of the trial;
- (iii) he shall not terrorize and intimidate the informant and her family members in any manner whatsoever.

Violation of any of the conditions shall entail cancellation of bail.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

B.K Sahoo/AKPradhan