

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15527 of 2021

**1. Kunti Nayak
2. Ananta Nayak
3. Babina Nayak**

.... Petitioners

Mr.T. Panigrahi, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr.D.K. Pani,
Addl. Standing Counsel

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
04.01.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Chandanpur P.S.Case No.334 of 2021 corresponding to G.R. Case No. 3304 of 2021 pending in the court of learned S.D.J.M., Puri for alleged commission of offences under sections 498-A, 307/34 of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

Perused the F.I.R. annexed to the anticipatory bail application.

In view of the nature of accusation against petitioner

nos.1 and 2 as per the dying declaration of the victim recorded by the doctor, while not inclining to grant anticipatory bail to them, but taking into account the nature of accusation against petitioner no.3 Babina Nayak, who is a lady and the sister-in-law of the victim, keeping in view the proviso to section 437(1) of Cr.P.C. and on hearing the learned counsel for the State, I am inclined to release her on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner no.3 in connection with the aforesaid case, she shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with one surety each for the like amount to the satisfaction of the arresting officer with further conditions that she shall make herself available for interrogation by the I.O. as and when required and she shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

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

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo