

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16053 of 2021

1. Smt. Jibeswari Patel **Petitioners**
2. Chinmaya Kumar Patel
3. Pragati Patel
4. Binata Patel

Mr. B. Seth, Advocate

-versus-

State of Odisha **Opp. Party**

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

CORAM:

JUSTICE S.K. SAHOO

ORDER

18.01.2022

Order No.

01.

This matter is taken up by video conferencing 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 C.T. Case No.2797 of 2021 arising out of Orient P.S.
Case No.167 of 2021 pending in the Court of learned
S.D.J.M., Jharsuguda for alleged commission of offences
under sections 498-A/294/506/307/34 of the Indian Penal
Code read with section 4 of the D.P. Act.

Perused the F.I.R.

Learned counsel for the petitioners submitted that
petitioner no.1 Smt. Jibeswari Patel is the mother-in-law of

the informant and she is a retired Headmistress, petitioner no.2 Chinmaya Kumar Patel is the elder brother-in-law and he is working as Revenue Inspector under the State of Odisha, petitioner no.3 Pragati Patel is the sister-in-law and she is working as Revenue Assistant in Tahasil Office and petitioner no.4 Binata Patel is the sister-in-law and she is working as a Primary School Teacher and she is a married lady. He further submitted that the case arises out of a matrimonial dispute and the allegation under section 307 of the Indian Penal Code is against the husband of the informant and there is no specific overt act alleged against the petitioners and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail and placed the first information report and also placed the statement of the informant from the case diary.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, the status of the petitioners and the fact that the case arises out of a matrimonial dispute, I am inclined to release the petitioners on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners in connection with the aforesaid case, they shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties for the like amount to the satisfaction of the arresting officer with further conditions that they shall make themselves available for interrogation by the I.O.

as and when required and they 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.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

RKM

