

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16095 of 2021

- 1. Ratikanta Jena**
- 2. Tulip Kaberi Jena**
- 3. Tulip Madhuri Jena**
- 4. Basanti Jena**

.... **Petitioners**

Mr. Jayanta Kumar Majhi, *Advocate*

-versus-

State of Odisha

....

Opp. Party

Mr. A.K. Beura,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

18.01.2022

Order No.

01. This matter is taken up through Video Conferencing Mode.

Learned counsel for the petitioners submitted that petitioner no.2 Tulip Kaberi Jena and petitioner no.3 Tulip Madhuri Jena are the daughters of late Budhiram Jena but inadvertently in the cause title, it has been reflected to be the sons of late Budhiram Jena.

In view of such submission, petitioner nos.2 and 3 shall be read as the daughters of late Budhiram Jena.

Heard learned counsel for the petitioner 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 Baripada Town P.S. Case No.998 of 2021 corresponding to C.T. Case No.2547 of 2021 pending in the Court of learned S.D.J.M., Baripada for alleged commission of offences under sections 498-A/323/506/34 of the Indian Penal Code.

Learned counsel for the State submitted that during course of investigation, notices contemplated under section 41-A of Cr.P.C. were issued to the petitioners nos.1 and 4 and they have complied with the terms and conditions of the notices and therefore, there is no apprehension of arrest of the petitioners nos.1 and 4 in connection with this case.

In view of such submission, the anticipatory bail application so far as petitioner no.1 Ratikanta Jena and petitioner no.4 Basanti Jena stands disposed of.

So far as petitioners nos. 2 and 3 are concerned, considering the submission made by the learned counsel for the petitioners that they are the sister-in-law of the informant and the case arises out of matrimonial dispute and keeping in view the proviso to section 437(1) of Cr.P.C. and the fact that the offences are triable by Magistrate, I am inclined to release the petitioners nos.2 and 3 on anticipatory bail and

accordingly, this Court directs that in the event of arrest of the petitioners nos.2 and 3, namely, Tulip Kaberi Jena and Tulip Madhuri Jena 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.

(S.K. Sahoo)
Judge