

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15701 of 2022

Bichitrananda Behera and others

Petitioners

....
Mr. Atul Ku. Mohanty, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. P.C.Das, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
20.12.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 498-A,294,506,307/34 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.
4. It is submitted by the learned counsel for the Petitioners that a complaint case has been filed two years after the occurrence. It is stated that as per the averments made in the complaint petition, the occurrence took place on 13.07.2020. Thereafter the Petitioner filed an application under Section 9 of the Hindu Marriage Act for restitution of conjugal right. In retaliation of the said case, a

complaint case has been filed. Further, it is submitted that an attempt was made to compromise the matter. However, the matter went up to State Women Commission. The attempt to settle the matter amicably failed.

5. Considering the nature of allegations made, gravity of the offence and the facts of the case, it is directed that in the event of arrest of the Petitioners by the Arresting Officer in connection with Baliana P.S.Case No.335 of 2022, they shall be released on bail on such terms and conditions as would be deemed just and proper by the Arresting Officer subject to the condition that the Petitioner No.1 shall pay a monthly maintenance of Rs.1000/- to the informant till an order of interim maintenance by an appropriate Court is passed.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

RKS