

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15717 of 2022

***Krushna Chandra Padhy &
Others***

.... ***Petitioners***
Mr. Ashok Das, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. Debasish Biswal, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
20.12.2022**

01. 1. Heard the learned counsels for the Petitioners and the State.
2. By means of this application, the Petitioners seek grant of bail U/s.438 Cr.P.C. in apprehension of arrest for their alleged involvement in the offences U/s. 498-A/323/509/506/34, I.P.C. read with Section 4 of the D.P. Act, in connection with Mahila P.S. Case No.178 of 2022 corresponding to G.R. Case No.2304 of 2022 pending in the court of learned S.D.J.M., Berhampur.
3. There appears a proceeding preferred by the present Informant against the husband under Section 25(1), Cr.P.C. claiming maintenance. Besides the Petitioner-husband has moved before the learned Judge, Family Court, Berhampur seeking a divorce against the Informant. As it appears, pursuant to the F.I.R. filed, there is seizure of the dowry articles from the matrimonial home as per the list annexed to the petition. The informant, who was residing with the Petitioner-husband at Kochi in his service place, has returned to the parental house and is residing there.

4. Considering the above facts and submission of the learned counsel for the Petitioners, nature of allegations appearing in the F.I.R., the seriousness and gravity of the offences, while this court is not inclined to grant anticipatory bail, it is directed that, in the event the Petitioners surrender and move for bail before the learned S.D.J.M., Berhampur in the aforesaid G.R. Case within a period of three weeks from today, they shall be allowed to go on bail on such terms and conditions as would be deemed just and proper by the said court, but subject to the following further conditions –

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) They shall appear in person before the trial court on each date of posting of the case unless specifically exempted by the court concerned.
- (iii) They shall not threaten, intimidate, terrorise, ill-treat or harass the Informant and her family members including the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever, while on bail.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge