

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16140 of 2021

1. Dibakar Dalai **Petitioners**
2. Lipun @ Nirakar Dalai
3. Bhama @ Satyabhama
Dalai
4. Krushna Chandra Dalai

Mr. P.K. Sahoo, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. J.P. Patra,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
19.01.2022

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 G.R. Case No.112 of 2018 arising out of Dhamnagar P.S. Case No.58 of 2018 pending in the Court of learned J.M.F.C., Dhamnagar for alleged commission of offences under sections 498-A/304-B/302/34 of the Indian Penal Code read with section 4 of the D.P. Act.

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

Learned counsel for the petitioners submitted that charge sheet has already been submitted in the case and the husband of the informant has been released on bail and the petitioners are the in-laws and there are no such material to attract the ingredients of the offences under which charge sheet has been submitted and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

In view of the offences alleged and the submission of charge sheet, while not inclining to grant anticipatory bail to the petitioners, it is ordered that in the event the petitioners surrender in the Court below within a period of four weeks from today and move for bail before the learned Court below, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and claim of parity with the co-accused shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

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

RKM

