

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16221 of 2021

1. Alekha @ Alok Chandra Petitioners
Nayak
2. Pramila Nayak
3. Sasmita Nayak
4. Rasmita Nayak
5. Akashmita Barik

Mr. Arijeet Mishra, Advocate

-versus-

State of Odisha Opp. Party

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

20.01.2022

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.599 of 2021 arising out of Aul P.S. Case No.294 of 2021 pending in the Court of learned J.M.F.C., Aul for alleged commission of offences under sections 498-A/323/294/307/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the husband of the informant, namely, Priya Ranjan Nayak was arrested during course of investigation and he has already been released on bail and the petitioners are the in-laws of the informant and the case arises out of a matrimonial dispute and there are no such materials against the petitioners so as to attract the ingredients of the offence under section 307 of the Indian Penal Code and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, release of the co-accused on bail and the fact that the case arises out of a matrimonial dispute, I am inclined to release the petitioners on anticipatory bail. 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 each 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.

Accordingly, the ABLAPL is 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

