

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16225 of 2021

1. Chanchala Das **Petitioners**
2. Karna Hembram

Mr. K.K. Rout, Advocate

-versus-

State of Odisha **Opp. Party**

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

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.680 of 2021 arising out of Rajkanika P.S. Case No.383 of 2021 pending in the Court of learned J.M.F.C., Aul for alleged commission of offence under section 307/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that on 27.06.2021, the petitioner no.1 Chanchala Das

lodged a first information report against her husband Durga Charan Dash before the Inspector in-charge of Rajkanika police station for which Rajkanika P.S. Case No.224 dated 27.06.2021 was registered under sections 498-A/341/323/294 of the Indian Penal Code, the copy of the F.I.R. has been annexed to this application as Annexure-2. He further submitted that just a counter blast to the said case, the husband of the petitioner no.1 has foisted this case and the case was registered under section 307 of the Indian Penal Code though there are no such injury to attract the ingredients of the offence and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State has produced the case diary and submitted that the informant Durga Charan Dash has sustained a swelling injury on the left elbow which has been opined to be simple in nature.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, the background of the case, the relationship between the petitioners and the informant, 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.

(S.K. Sahoo)
Judge

RKM