

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16459 of 2021

1. Y. Chinnama **Petitioners**
2. Swarnalat Mohanty

Mr. S.C. Mohapatra, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

25.01.2022

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.778 of 2021 arising out of Lalbag P.S. Case No.174 of 2021 pending in the Court of learned S.D.J.M.(Sadar), Cuttack for alleged commission of offences under sections 498-A/307/34 of the Indian Penal Code read with section 4 of the D.P. Act.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the petitioner no.1 is the mother-in-law and petitioner no.2 is the sister-in-law of the victim and so far as accusation under section 307 of the Indian Penal Code i.e. against the husband of the victim, who has already been taken into custody and the accusation against the petitioners may at best constitute an offences under section 498-A of the Indian Penal Code and 4 of the D.P. Act 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, the nature of overt act against the petitioners and since the petitioners are ladies, keeping in view the proviso to section 437(1) Cr.P.C, I am inclined to release the petitioners on anticipatory bail and 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.

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.

RKM

