

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16481 of 2021

1. Rabati Behura **Petitioners**
2. Binay Kumar Behura
3. Nandini Behura

Mr. B. Rout, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. Arupananda Das,
Addl. Government Advocate
Mr. K.K. Rout, Advocate for the
informant

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, learned counsel for the State and learned counsel for the informant.

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.711 of 2021 arising out of Rajkanika P.S. Case No.403 of 2021 pending in the Court of learned J.M.F.C., Aul for alleged commission of offences under sections 498-A/294/323/341/377/313/379/420/506/34 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, petitioner no.2 is the elder brother-in-law and petitioner no.3 is the elder sister-in-law of the informant respectively and the case arises out of a matrimonial dispute and the husband of the informant has been taken into custody and he has already been released on bail and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State as well as the learned counsel for the informant 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 and since the co-accused husband has already been released on bail, 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

