

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16096 of 2022

Jayanti Nayak and others *Petitioners*
Mr. Satyaprakash Dhal, Advocate
-versus-
State of Odisha *Opp. Party*
Mr. P.K. Rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State. Perused the case diary.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with C.T. Case No.4495 of 2022, arising out of Chandrasekharpur P.S. Case No.253 of 2022 pending in the court of learned S.D.J.M., Bhubaneswar for commission of offences punishable under Sections 417/493/312/294/323/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioners that main allegation is against the principal accused, namely Ajit, who had committed sexual offences against the consent of the informant. It is further submitted that the petitioners are family members were living at Dhenkanal and the principal accused and the victim are at Bhubaneswar and that they are no way connected with the alleged

crime.

6. As per F.I.R. allegation, the victim came to their house and approached the petitioners for their marriage. The present petitioners did not agree with the proposal of the informant and they abused her in filthy languages and assaulted and also driven out from their house. Hence the present case.

7. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is directed that in the event the petitioners surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper.

8. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge