

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16587 of 2021

1. Saroj Kumar Sahu **Petitioners**
2. Gouri Sahu
3. Karishma Sahu

Mr. A.K. Nayak, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

24.01.2022

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.2224 of 2021 arising out of Berhampur Mahila P.S. Case No.156 of 2021 pending in the Court of learned S.D.J.M., Berhampur for alleged commission of offences under sections 498-A/294/323/506/34 of the Indian Penal Code read with section 4 of the D.P. Act.

Perused the F.I.R.

Learned counsel for the State on instruction submitted that the petitioner no.1 was served with a

notice under section 41A of Cr.P.C. and he has complied with the terms and conditions of the notice and therefore, there is no apprehension of arrest of the petitioner no.1 in connection with the case.

In view of submission made by the learned counsel for the State, the ABLAPL in respect of petitioner no.1 Saroj Kumar Sahu is disposed of.

Learned counsel for the petitioners submitted that the petitioner no.2 is the mother-in-law and petitioner no.3 is the sister-in-law of the informant and the case arises out of a matrimonial dispute and the offences are triable by Magistrate and therefore, the anticipatory bail application of the petitioners nos.2 and 3 may be favourably considered.

Learned counsel for the State on instruction further submitted that even though the Investigating Officer was contemplating to serve the notice under section 41A of Cr.P.C. on the petitioners nos.2 and 3 but since they were not available, it could not be served on them.

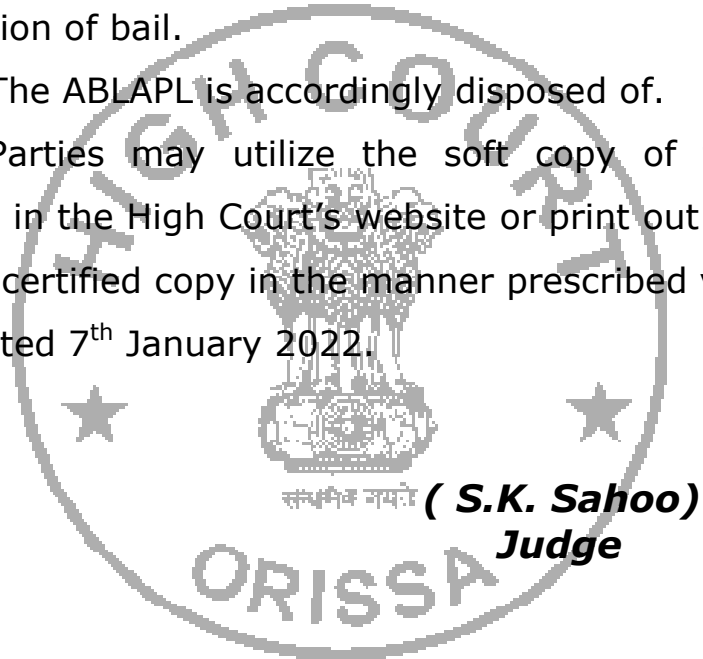
Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners nos.2 and 3 and keeping in view the proviso to section 437(1) of Cr.P.C., I am inclined to release the petitioners nos.2 and 3 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner no.2 Gouri Sahu and petitioner no.3 Karishma Sahu 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