**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.14794 of 2024**

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| ***1) Basanta Jena*** | ***.....*** | ***Petitioners*** |
| 2) Susama Jena | | Represented By Adv. - |
| 3) Swapna Jena | | Prasant Kumar Barik |

*-versus-*

| | | |
|---|---|---|
| ***State Of Odisha*** | ***.....*** | ***Opposite Parties*** |
| | | Represented By Adv. – |
| | | Sasmita Nayak, A.S.C. |

**CORAM:**
**THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA**

**ORDER**
**24.12.2024**

**Order No.**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State. Perused the records.

3. This is an application under Section 482, B.N.S.S. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 296, 316(2), 351(2), 85, 35 of B.N.S. in G.R. Case No.2780 of 2024 of the Court of learned S.D.J.M., Bhadrak arising out of Bonth P.S. Case No.183 of 2024.

4. It is stated by learned counsel for the Petitioners that the Petitioners are the in laws of the family members of the informant. He further contended that the informant has not sustained any injury

at all. He further contended that due to a matrimonial dispute between the husband and informant-wife, the husband and entire family members have been implicated in the present case.

5. Learned counsel for the State on the other hand objected to the release of the Petitioners on pre-arrest bail on the ground of seriousness and the gravity of the allegations made in the F.I.R. He further contended that the investigation is still on, therefore, the release of the Petitioners at this juncture would cause delay in conclusion of the investigation and filing of the charge sheet.

6. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioners, however it is observed that, in the event the Petitioners surrender and move for bail before the learned court in seisin over the matter within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper with further conditions that:-

I. shall not harass, threaten or terrorize and ill-treat the informant and her family members and the prosecution witnesses in any manner whatsoever; and

II. shall cooperate with the investigation and appear before the Investigating Officer as and when their presence is required by the I.O. for the purpose of investigation.

Violation of any of the terms and conditions shall entail cancellation of the bail.

7. The ABLAPL is disposed of accordingly.

8. Urgent certified copy of this order be granted as per rules.

***( A.K. Mohapatra)***
***Judge***

Anil

Signature Not Verified
Digitally Signed
Signed by: ANIL KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa
Date: 25-Dec-2024 14:15:15