



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.1230 of 2024

Gyanaranjan Barik

.....

Petitioner

Represented By Adv. -
Sangramjit Panda

-versus-

State Of Odisha

.....

Opposite Party

Represented By Adv. –
Mr. Samaresh Jena,
A.S.C.

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

ORDER
13.05.2025

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual/ Physical Mode).
 2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel appearing for the Opposite Party-State.
 3. The present application has been filed under Section 438 of Cr.P.C. by the Petitioner seeking pre-arrest bail in connection with Bhadrak, Rural P.S. Case No.40 of 2024, pending in the court of learned S.D.J.M., Bhadrak for alleged commission of offence punishable under Section 307/323/34/506/498(A) of I.P.C. and U/s. 4 of D.P. Act, 1961.
 4. It is stated by the learned counsel for the petitioner that the petitioner is the husband of the informant-wife. He further



submitted that due to a matrimonial dispute between the husband and wife, the present case has been registered at the instance of the informant-wife making a false allegation against the petitioner. He further contended that the petitioner belongs to the locality, therefore there is no chance of him absconding. He further contended that the alleged injuries sustained by the informant are simple in nature. He further submitted that the petitioner is ready and willing to abide by any stringent terms and conditions that would be imposed by this Court in the event he is released on pre-arrest bail.

5. Learned counsel for the State on the other hand objected to the release of the petitioner on bail on the ground of gravity and seriousness of the allegation. He further contended that in the event the petitioner is released on bail he will not cooperate with the investigation.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant pre-arrest bail to the Petitioner. However, it is directed that in the event the Petitioner surrenders before the Court in seisin over the matter within a period of four weeks from today and move an application for bail, the Court in seisin over the matter shall release him on bail in connection with the aforesaid case on such terms and conditions as it may deem just and proper in the facts and circumstances of the case, but subject to verification of injury. In the event it is found by the learned court below that the injuries sustained by the injured are grievous in nature, then this order shall automatically stand revoked.



7. The release of the petitioner shall also be subject to following conditions:-

- I) shall not harass, threaten or terrorise the informant and her family members or any of the prosecution witnesses.
- II) shall provide the maintenance to the informant-wife as has been directed in the order passed by the competent Court.
- III) shall appear before the learned trial court on each and every date fixed unless prevented by any sufficient cause.

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

8. Accordingly, the ABLAPL is disposed of.

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

(Aditya Kumar Mohapatra)
Judge

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