
(2021) 06 OHC CK 0014

In the Orissa High Court

Case No : Anticipatory Bail Application No.6514 Of 2021

Dr. Binaya Sahu

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 02-06-2021

Acts Referred:

Indian Penal Code, 1860 — Section 376, 511
Code Of Criminal Procedure, 1973 — Section 438

Citation : (2021) 06 OHC CK 0014

Hon'ble Judges : S. K. Sahoo, J

Bench : Single Bench

Advocate : C. Sahu, Arupananda Das

Judgement

S. K. Sahoo, J

1. This matter is taken up by video conferencing mode.
2. Let an extra copy of the anticipatory bail application be served on the learned counsel for the State by 04.06.2021, which shall be sent to the Inspector in-Charge of Singla Police station for its service on the informant in Singla P.S. Case No.104 of 2021 and it will be intimated to her that the matter is likely to be taken up in the week commencing from 28th June 2021 and if she so likes, she can engage an advocate in the matter to oppose the bail application. Learned counsel for the State shall obtain written instruction from the Inspector-in-Charge of Singla Police Station regarding service of notice on the informant.
3. List this matter in the week commencing from 28th June 2021.
4. Learned counsel for the State shall produce the case diary and obtain instruction in the matter by the next date.

5. Considering the submissions made by the learned counsel for the petitioner that the case arises out of a matrimonial dispute and the petitioner is the husband of the informant and the ingredients of the offences under section 376 and 511 of the Indian Penal Code are not attracted, as an interim measure, it is directed that the petitioner shall not be arrested in connection with Singla P.S. Case No.104 of 2021 corresponding to C.T. Case No.361 of 2021 pending in the Court of learned J.M.F.C., Basta till the next date subject to further conditions that he shall make himself available for interrogation by the Investigating Officer as and when necessary and he 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 Investigating Officer.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No. 4587 dated 25th March 2020 as modified by Court's Notice No. 4798 dated 15th April 2021.

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