

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.359 of 2022

Saibani Badaraita

..... Petitioner

Mr. S.K. Dash, Advocate

-versus-

State of Odisha

..... Opposite Party

Mr. S.S.Mohapatra, A.S.C. for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

01.02.2022

Order No.

01. 1. This matter is taken up through Video Conferencing mode.
2. Heard learned counsel for both the parties and perused the records.
3. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Garabandha P.S. Case No.49 of 2021 in G.R. Case No.277 of 2021, corresponding to S.T. Case No.47 of 2021, pending in the court of learned Special Judge-cum-Addl. Sessions Judge, Gajapati at Paralakhemundi, for commission of alleged offences under Sections 302/304-B/498-A/34 I.P.C. and Section 4 of D.P. Act.
4. Learned counsel for the Petitioner submits that she is the mother-in-law of the deceased and she has been falsely implicated in this case. It is submitted that Petitioner has no criminal antecedents and she has been languishing in jail custody since 20.08.2021.
5. Learned Standing Counsel for the State vehemently objected to the bail of the Petitioner. It is submitted that charge-sheet has

already been submitted in the meantime. He, however, submits that if the Petitioner is released on bail, stringent conditions may be imposed on the accused Petitioner.

6. Having heard learned counsel for the parties and considering the fact that Petitioner is a lady and the period of detention in jail custody, this Court is inclined to release the Petitioner on bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty thousand) with one solvent surety for the like amount to the satisfaction of the learned court in seisin of the matter subject to conditions that the Petitioner shall cooperate with the investigation and shall not threaten the witnesses or tamper with the evidence in any manner, whatsoever.

7. With the above direction, the BLAPL is accordingly allowed.

8. As the restrictions due to resurgence of COVID -19 situation are continuing, learned counsel for the parties may utilize a print out 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 and Office Order dated 7th January, 2022.

(A.K. Mohapatra)
Judge