

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.945 OF 2020

Chittaranjan Mishra & Another ***Petitioners***
Mr. R.L. Pattanaik, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. K.K. Das, ASC

CORAM:
MR. JUSTICE D.DASH

ORDER
08.02.2022

Order No.

04. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. Learned counsel for the Petitioners submits that these Petitioners being the in-laws of the deceased have been implicated in the case with the false allegations that they all were torturing the deceased for non-fulfillment of the demand of dowry and on the relevant day they forcibly administered poison upon the deceased. Referring to the inquest and postmortem report, he submits that such allegations per se are not acceptable since no such mark of physical violence have been noticed on the body of the deceased. It is further submitted that at least some injury in that event in the buccal cavity of the deceased might have been detected which is also missing here. He further submits that the Petitioners having remained on interim protection from 04.03.2020 have been cooperating with the investigation without misusing the liberty. In view of all these above; he urges for grant of anticipatory bail to the Petitioners.

3. Learned counsel for the State although referring to the statements of the witnesses states that they have alleged that these Petitioners with others had forcibly administered the poison, yet does not dispute the position that the postmortem and inquest report do not indicate existence of any external injury on the person of the deceased including in the buccal cavity.

4. Considering the submissions and on going through the nature of accusations; further keeping in view the surrounding circumstances of the case as also concerning the Petitioners and in the absence of any other impediment, it is directed that in the event the Petitioners surrender before the Court in seisin of the case in Raibania P.S. Case No.0086 of 2019 corresponding to C.T. Case No.877 of 2019 pending on the file of learned J.M.F.C., Jaleswar within three weeks hence and move for their release on bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the said Court.

5. The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Basu