

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.867 of 2022

**1. Rubi Maharana @
Rubismita Moharana
2. Baguni Moharana @
Bangi @ Mamata Ojha Petitioners**

Mr. P. Jena, Advocate

-versus-

State of Odisha Opp. Party

*Mrs. Susamarani Sahoo
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
03.02.2022**

Order No.

01. This matter is taken up through video conferencing.

Heard the learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Cuttack Mahila P.S. Case No. 89 of 2019 corresponding to G.R. Case No. 1490 of 2019 pending in the Court of learned S.D.J.M. (S), Cuttack for commission of alleged offences under sections 498-A, 306/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that the petitioner no.1 is the daughter in-law of the younger father in-law of the deceased and petitioner no.2 is a distant relative of the deceased and initially the case was registered under sections 498-A, 304-B of the Indian Penal Code read with section 4 of the Dowry Prohibition Act, but on completion of investigation, charge sheet has been submitted under sections 498-A, 306/34 of the Indian Penal Code and all the co-accused persons have already been released on bail and since the petitioners are ladies and there being no specific material against them, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties and the nature of accusation against the petitioners, while not inclining to grant anticipatory bail to the petitioners, it is observed that in the event the petitioners surrender and move for bail in the Court below within a period of four weeks from today the same shall be disposed of by the learned Courts below in accordance with law expeditiously and the claim of parity with the co-accused persons, who are stated to have been released on bail as well as the proviso to section 437(1) Cr.P.C. shall be taken into account. The case records shall be made available to the Courts

concerned for disposal of the bail application.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide office order dated 7th January 2022.

(S.K. Sahoo)
Judge

PKSahoo

