

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1950 of 2021

1. Chinu @ Chinmayee

Maharana

2. Susan @ Susama

Maharana

.... Petitioners

Mr.D. Samal, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr. A.K. Beura,

Addl. Standing Counsel

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

**ORDER
09.02.2022**

Order No.

04. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard 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 Dhamnagar P.S. Case No.287 of 2020 corresponding to G.R. Case No.526 of 2020 pending before the learned J.M.F.C., Dhamnagar for commission of alleged offences under sections 498-A, 304-B, 306/34 of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

Learned counsel for the petitioners submitted

that the petitioner no.1 is the sister in-law and petitioner no.2 is the mother in-law of the deceased and the husband of the deceased was taken into custody during course of investigation and he has already been released on bail. It is further submitted that though the case was registered under section 302 of the Indian Penal Code, but during investigation, it was found to be a case under section 306 of the Indian Penal Code and since the petitioners are ladies, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State has produced the case diary and submitted that the case has been supervised by higher authorities and it is found to be true case under sections 498-A, 304-B, 306/34 of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

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, who is the husband of the deceased, stated to have been released on bail as

well as the proviso to section 437(1) of 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 stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo

