

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL NO.2240 OF 2020**

***Debaki Meher***

....

***Petitioner***

Mr. Sarat Kumar Jena, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Miss. Samapika Mishra, ASC.

**CORAM:**

**MR. JUSTICE D.DASH**

**ORDER**

**18.02.2022**

**Order No.**

03. 1. This matter is taken up through video conferencing mode.
2. Learned counsel for the Petitioner submits that this Petitioner being the mother-in-law of the deceased has been arraigned in the case when the deceased committed suicide within a period of seven years of her marriage with the Petitioner's son. He further submits that the allegation with regard to demand of dowry and torture for non-fulfillment of the same are all false and omnibus in nature and it is said that this Petitioner in that mission was joining with other members of the family when no particular incident has been cited assigning specific role to this Petitioner therein. It is further submitted that the Petitioner being granted interim protection by order dated 05.03.2020, she has been abided by the same. In view of all these above, he urges for grant of anticipatory bail to this Petitioner at this stage, as according to him, likely arrest and detention of the Petitioner in custody would serve no useful purpose.
3. Learned counsel for the State opposes the move. According to her on the face of allegation with regard to demand of

dowry and torture when the death of the deceased has not taken place under normal circumstances and it is within seven years of marriage; presumption under section 113-A/113-B of the Evidence Act stands as to the culpability of this Petitioner.

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 Petitioner as also the role said to have been played by the Petitioner in the incident and in the absence of any other impediment, it is directed that in the event the Petitioner surrenders before the court in seisin of the case in connection with Bargarh Town P.S. Case No.581 of 2019 corresponding to C.T. Case No.1327 of 2019 on the file of learned S.D.J.M., Bargarh within three weeks hence and moves for her release on bail, she shall be released on bail on such terms and conditions as would be deemed just and proper by the Court in seisin of the case.

5. The ABLAPL is accordingly disposed of.  
Issue urgent certified copy as per rules.

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

*Himansu*