

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2038 of 2022

1. Sukanti Sahu

**2. Anita Sahu @ Belamati
Sahu**

**3. Gulu Sahu @ Deepak
Sahu**

.... Petitioners

Mr. S. Dwibedi, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr. S.S. Pradhan,
Addl. Government Advocate*

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

**ORDER
15.03.2022**

Order No.

01. 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 G.R. Case No.1050 of 2020 arising out of Patnagarh P.S. Case No.277 of 2020 pending in the Court of learned S.D.J.M., Patnagarh for alleged commission of offences under sections 498-A/302/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the petitioner no.1 is the mother-in-law, petitioner no.2 is the unmarried sister-in-law and petitioner no.3 is the brother-in-law of the deceased respectively. The F.I.R. was registered under sections 498-A/302/34 of the Indian Penal Code and on completion of investigation, charge sheet has been submitted under sections 498-A/306/34 of the Indian Penal Code against the husband of the deceased and the investigation is kept open. Learned counsel further argued that the husband of the deceased, namely, Bulu @ Abhimanyu Sahu, who was taken into custody, has already been granted bail by this Court in BLAPL No.525 of 2022 as per order dated 02.02.2022 and therefore, the anticipatory bail application of the petitioners 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, the nature and gravity 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 in the Court below within a period of four weeks from today and move for bail, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law

and claim of parity with the co-accused, who is stated to have been released on bail, including proviso to section 437(1) Cr.P.C. for petitioners nos.1 and 2 shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge



RKM