

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2040 of 2015

Kalpana Satpathy

.... ***Petitioner***
M/s. J. Sahoo, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
M/s. S.K.Mishra, A.S.C.

CORAM:

JUSTICE GOURISHANKAR SATAPATHY

ORDER

21.09.2022

Order No.

10. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Learned counsel for the petitioner in course of hearing of CRLMC submits to withdraw the same with a limited prayer that the petitioner be released on bail in the event she surrenders before the Court in seisin of the case. He further submits that the main accused who is the husband of the deceased has already died in the meantime.
3. Learned counsel for the State, on the contrary, vehemently opposes such prayer advanced on behalf of the petitioner.
4. A careful perusal of record itself goes to show that the N.B.W. was issued against the petitioner on 01.12.2014 but till today she is at large. Learned counsel for the petitioner also files the certified copy of the order passed on 13.05.2016 by learned S.D.J.M., Jharsuguda wherein, cognizance of the offence U/Ss. 498(A)/304(B)/306/406/34

of I.P.C. read with Section 4 of D.P. Act were taken and it also discloses about release of accused persons namely, Basanta Kumar Sathpathy and Sumit Sathpathy on Court bail and accused Srimanta Sathpathy on bail by police and the present petitioner Kalpana Satpathy has been shown therein as absconder.

5. Considering the aforesaid submissions made on behalf of the petitioner and taking into account her status as old lady aged about 74 years as submitted, coupled with facts narrated above and release of co-accused husband on bail along with other co-accused, this Court grants permission to the petitioner to withdraw the CRLMC application and further directs that in the event the petitioner surrenders before the Court in seisin of the case within a period of three weeks from today, she may be released on bail on furnishing bail bonds of Rs.25,000/- with two solvent sureties each for the like amount to the satisfaction of the learned trial Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall not leave the jurisdiction of the learned trial Court without prior permission till conclusion of trial in the case and the petitioner shall attend the trial Court on each date of posting of the case unless her attendance is dispensed with by the learned trial Court.

6. Accordingly, the CRLMC stands disposed of.

7. Urgent certified copy of the order be granted on proper application.

(G. Satapathy)
Judge

