

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 2181 of 2022

Lina Hembram and another

....

Petitioners

*Ms. Sujatarani Dash,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. P.K. Maharaj,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.04.2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing Counsel for the State.
3. The petitioners are in custody since 15.07.2021 in connection with Barkote P.S. Case No. 213 of 2021 corresponding to S.T. Case No. 26027 of 2021 pending in the Court of learned Additional Sessions Judge, Deogarh for the alleged commission of offence under Sections 34 and 307 of IPC.
4. The allegation is that the petitioners who are husband and wife left their four months old child in a forest with the intention of killing it. However, on interrogation by the villagers, it was stated that as the petitioners had married against the consent of their respective families, they had left the child out of fear. It is also stated both the petitioners being heavily intoxicated after consuming Handia had kept the child inadvertently. Be that as it

may, fact remains that the child has since been rescued by the members of the Child Welfare Committee, Deogarh and is presently safe.

5. Having regard to the materials on record and taking into consideration the period of detention of the petitioner in custody as also the fact that charge sheet has already been submitted in the case, I am inclined to allow the prayer for bail, Let the petitioners be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that the court below shall insist upon two local sureties, i.e., belonging to the district of Deogarh for such amount as may be determined by him. Further, they shall not leave the territorial jurisdiction of the Court without obtaining leave.

6. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge