

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2632 of 2022

Damayanti Dehury* *Petitioner

Mr. B. Mohapatra, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate
Mr. P.K. Sahoo, Advocate (for
the informant)*

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

**ORDER
05.04.2022**

Order No.

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

Heard the learned counsel for the petitioner and learned counsel for the State as well as learned counsel for the informant.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Motanga P.S. Case No. 16 of 2022 corresponding to G.R. Case No. 100 of 2022 pending in the Court of learned S.D.J.M., Dhenkanal for the commission of the alleged offences punishable under sections 498-A, 302, 304-B/34 of the Indian Penal Code read with section 4 of the Dowry Prohibition Act.

Perused the F.I.R. annexed to the anticipatory bail

application.

Learned counsel for the petitioner submits that the petitioner is the sister in-law of the deceased and she was not staying in the company of the deceased. Learned counsel further submitted that the husband of the deceased has already been taken into custody and since the petitioner is a lady, the anticipatory bail application may be favourably considered.

Learned counsel for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties and the nature of accusation against the petitioner, while not inclining to grant anticipatory bail to the petitioner, liberty is granted to her to surrender and move for bail in the Court below within a period of four weeks from today in the event of which the learned Courts below shall dispose of the same in accordance with law. While disposing of the bail application, the learned Courts below shall take into account the proviso to section 437(1) of Cr.P.C. 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