

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 2202 of 2022

Sila Das @ Sitha

....

Petitioner

Mr. Tapan Jyoti Pani, Adv.

-versus-

State of Odisha.

....

Opp. Party

*Mr. G.R. Mohapatra,
ASC*

CORAM:
DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
17.10.2022

04. 1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the parties.
3. Petitioner being in custody in connection with Banki PS Case No.209 of 2016 corresponding to GR Case No.291 of 2016 and thereafter converted to ST Case No. 09 of 2017, pending in the court of the learned 1st Additional District Judge, Cuttack, has filed this petition for her release on bail. The offence alleged against her is punishable under Sections 302, 201/34 of IPC of the IPC
4. The prosecution story as per FIR is that marriage of one Sanjay Singh was solemnized with the accused petitioner

on 17.08.2016. On 21.08.2016, in the morning, Sanjay was found dead in his bed-room in a mysterious circumstance. On being asked by the father of the deceased, the accused petitioner disclosed that the deceased died due to snake bite. During course of investigation, it was ascertained that the accused petitioner hatched a conspiracy with her paramour and murdered the deceased in the mid-night of 20.08.2016 by administering toxic injection by portraying it to be a death due to snake bite

5. Learned counsel for the petitioner submits that charge-sheet has already been filed. He submits that the petitioner does not have any nexus with the alleged offences. The petitioner has been falsely implicated in this case. Furthermore, the petitioner has been languishing in custody since 21.08.2016.

6. Learned counsel for the State vehemently opposed the bail prayer of the petitioner

7. Considering the nature and gravity of the accusation, character of evidence appearing against the Petitioner, the stringent punishment provided under Sections 302, 201/34 of IPC in an offence of this nature without recording the satisfaction that there are reasonable grounds for believing that the petitioner is not guilty of the offence alleged or not likely to commit any such

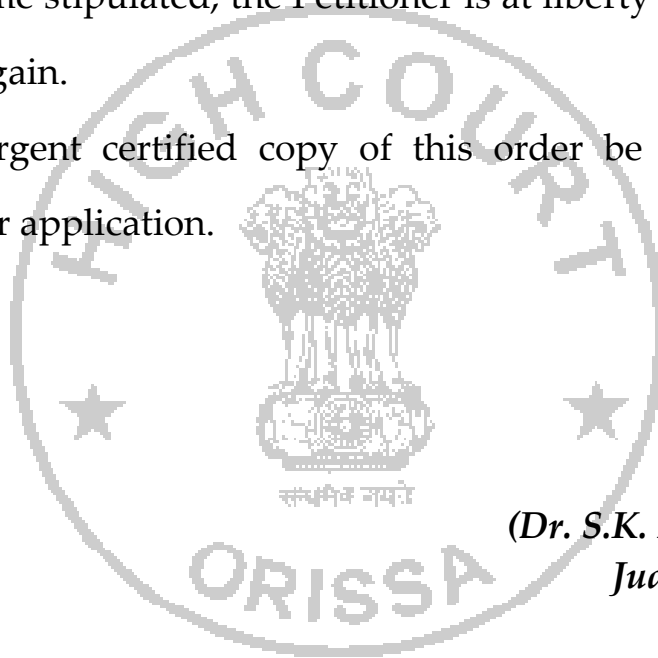
offence, which is not possible to record in this case, the Petitioner's prayer for bail is devoid of merit. Hence, his prayer for bail stands rejected.

8. Accordingly, the BLAPL is rejected.

9. However, the court in *seisin* over the matter is directed to conclude the trial within a period of three months, if there is no other impediment.

10. Needless to say that if the trial is not concluded within the time stipulated, the Petitioner is at liberty to move for bail again.

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



(Dr. S.K. Panigrahi)
Judge

SD