

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2542 of 2022

Krupasindhu Behera @ ***Petitioners***
Krupasindhu @ Bhua Behera and
another

Mr. A. Pattanaik, Advocate

-versus-

State of Orissa ***Opp. Party***
Mr. M. Mishra, ASC

CORAM:
JUSTICE G. SATAPATHY

ORDER
10.11.2022

Order No.

04. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This is an application U/S. 439 of Cr.P.C. by the petitioners for grant of bail in connection with G.R. Case No.26 of 2022 arising out of Nayagarh Sadar P.S. Case No.9 of 2022 pending in the file of learned S.D.J.M., Nayagarh for commission of offences punishable under Sections 498-A/304-B/302/34 of IPC read with Section 4 of D.P. Act, on the allegation of committing murder and dowry death of the deceased and subjecting her to torture and cruelty prior to her death for demand of dowry along with other co-accused persons.
3. In the course of hearing of the bail application, Mr. A. Pattanaik, learned counsel for the petitioners submits that pursuant to a prisoner's petition he has already filed Vakalatnama in this case and the petitioners in this case are the father-in-law and mother-in-law of the deceased but they have been falsely implicated in this

case. It is further submitted by him that after due investigation, the police has placed charge-sheet in this case deleting the offence U/S.302 of IPC against the petitioners and the petitioners having detained in custody since 23.01.2022 may kindly be granted bail. The prisoner's petition received through post may kept on record.

4. On contrary, learned counsel for the State seriously opposes the bail application of the petitioners by inter alia submitting that even if the petitioners are the parents-in-law of the deceased but the allegation appearing against them are not only serious but also grave and they were alleged to have committed dowry death of the deceased. It is accordingly prayed by learned counsel for the State to reject the bail application of the petitioners.

5. Considering the rival submissions, the status of the petitioners as father-in-law and mother-in-law of the deceased and the fact that the charge-sheet having already been submitted in this case for offences U/Ss. 498-A/304-B/34 of IPC read with Section 4 of D.P. Act and keeping in view the age of the petitioners and the status of one of the petitioner to be a lady and regard being had to the first proviso appended to Section 437 of Cr.P.C. for grant of bail to mother-in-law and taking into consideration the other circumstances in entirety, this Court considers the bail application of the petitioners favourably.

6. Hence, the prayer for the bail of the petitioners stands allowed and the petitioners are allowed to go on bail on furnishing bail bonds of Rs.25,000/- each with one solvent surety each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioners shall attend the trial Court on each date of posting

without fail unless their attendance is dispensed with and that they shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case.

7. Accordingly, the BLAPL stands disposed of.
8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Subhasmita

