

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3140 of 2022

Devaki Nag

....

Petitioner

Mr. S.R. Mulua, Advocate

-Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

09.09.2022

Order No.
04.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 25.01.2022 in connection with Jeypore Town P.S. Case No.345 of 2021 corresponding to G.R. Case No.1188 of 2021 of the Court of learned S.D.J.M., Jeypore for the alleged commission of offence under Sections 302/34 of IPC
4. As per the prosecution allegation, the petitioner instigated the co-accused, Samir Nag to commit the murder of the deceased, who is none other her own husband. It is further alleged that being so instigated the said Samir Nag stabbed the deceased causing his death. In so far as the present petitioner is concerned, except for the allegation that she had instigated and encouraged the accused to commit the occurrence, there is no other specific act attributed to her.

5. Considering the above fact as also taking into account the period of detention in custody, I am inclined to allow the prayer for bail. Let the petitioner 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 she shall personally appear before the trial court on each date of posting of the case without fail.

6. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge

A.K. Rana

