

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3381 of 2022

Kanchanabala Sahoo

....

Petitioner

Mr.Syamalendu Pattnaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C.Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.05.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as the learned Additional Standing Counsel for the State.
4. This is an application under Section 439 of the Criminal Procedure Code filed by the Petitioner to release him on regular bail in connection with Kuakhia P.S. Case No.359 of 2021 corresponding to C.T.Case No.2235 of 2021 pending in the Court of the learned S.D.J.M., Jajpur for commission of an alleged offence under Sections 498-A,304-B,302/34 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.
5. It is submitted by the learned counsel for the Petitioner that the Petitioner is languishing in jail custody since 12.04.2022 and after completion of investigation charge sheet has been filed by the Investigating Agency. It is further contended by the learned counsel for the Petitioner that the Petitioner is the mother-in-law. The husband of the Petitioner, who is the father-in-law of the deceased has been

released on bail by this Court in BLAPL No.129 of 2022. Furthermore, there is omnibus allegation against the petitioner. It is submitted by the learned counsel for the Petitioner that since the Petitioner is the inhabitant of Jajpur district, there is no chance of her absconding or fleeing from receiving justice. In the event of her release by this Court, the Petitioner shall appear before the trial court on each date of posting of the case and she is ready and willing to abide by the conditions that may be imposed by this Court.

6. Learned counsel for the State on the other hand opposes the prayer for bail of the Petitioner and submits that the Petitioner has played main role in the present crime. Accordingly learned Additional Standing Counsel urges rejection of the application of the Petitioner.

7. Having heard learned counsel for the parties and considering the nature and gravity of the allegation made in the F.I.R. as well as the custodial detention of the Petitioner and the fact that the father-in-law of the deceased has been released on bail by this Court in BLAPL No.129 of 2022, this court is inclined to grant bail to the Petitioner and it is directed that let the Petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.30,000/- (Rupees Thirty thousand) with one local solvent surety for the like amount to the satisfaction of the learned court in seisin over the matter subject to the following terms and conditions

- i) she shall appear before the concerned Police Station once in a fortnight preferably on Sunday between 10 A.M. to 1 P.M. till conclusion of trial.
- ii) shall cooperate with the trial of the case and shall appear in trial court on each and every date to which the case is posted.
- iii) shall not indulge in any offence of similar nature

- iv) shall not tamper with the prosecution evidence while on bail.
 - v) shall not influence or threaten any prosecution evidence while on bail.
 - vi) Violation of any of the terms and conditions shall entail cancellation of bail.
8. The trial court may also impose any other condition(s) as deem fit and proper.
9. The Bail Application is accordingly disposed of.
10. Issue urgent certified copy of this order as per Rules.

RKS

