

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3742 OF 2022

Tima @ Baidhar Bhoi & another

***..... Petitioners
Mr. Chhabi Behera, Adv.***

-versus-

State of Odisha

***..... Opposite Party
Mr.K.K.Gaya, ASC***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
12.08.2022**

**Order No.
03.**

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The petitioners are accused in connection with G.R. Case No. 7 of 2022 arising out of Niali P.S. Case No. 10 of 2022, pending on the file of the learned JMFC, Niali, for the alleged commission of offence under Sections 498(A)/304-B/302/34 of the I.P.C. and Section 4 of the D.P.Act.
4. Being aggrieved by the rejection of their application for bail U/s. 439 Cr.P.C. by the learned 1st Addl. Sessions Judge, Cuttack by Order dtd.11.04.2022, the present BLAPL has been filed.
5. Learned counsel for the petitioners places on record the dying declaration of the victim.

6. On perusal of the same it is seen that she has not implicated the present petitioners, who are father-in-law and sister-in-law of the deceased.

7. Considering the materials on record and dying declaration as above, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. The memo filed regarding the present pendency of ST Case No.112 of 2022 before the learned 3rd A.D.J.,Cuttack and Dying Declaration be kept on record.

9. The BLAPL thus stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

(V.Narasingh)
Judge

Dhal

