

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4163 of 2022

Santilata Tripathy & another

.... ***Petitioners***
Mr.S.K.Singh, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. K.K.Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

19.05.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners as well as the learned Additional Standing Counsel for the State.
3. This is an application under Section 439 of the Criminal Procedure Code filed by the Petitioners to release them on regular bail in connection with Bolagarh P.S. Case No.96 of 2022 corresponding to G.R.Case No.603 of 2022 pending in the Court of the learned S.D.J.M., Khurda for commission of an alleged offence under Sections 498-A, 294,323,307,313,506,109/34 of the Indian Penal Code.
4. It is submitted by the learned counsel for the Petitioners that the Petitioners are languishing in jail custody since 19.04.2022. It is also submitted on behalf of the Petitioners that both the Petitioners are mother-in-law and father-in-law of the informant and they have been falsely coped in this case with an ulterior motive. The allegation made against the Petitioners are omnibus in nature. It is further submitted by the learned counsel for the Petitioner that since the Petitioners are

the inhabitant of Khurda district, there is no chance of their absconding or fleeing from receiving justice. In the event of their release by this Court, the Petitioners shall appear before the trial court on each date of posting of the case and are 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 Petitioners and submits that considering the nature of injury and gravity of offences no leniency should be shown. Accordingly, learned Additional Standing Counsel urges rejection of the bail applications of the Petitioners.

7. Considering the aforesaid submissions and keeping in view the entire facts of the case and the period of custodial detention of the Petitioners and keeping in view the old age of the Petitioners, this court is inclined to grant bail to the Petitioners and it is directed that let the Petitioners be released on bail in the aforesaid case on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) each 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) they 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.
- ii) shall not indulge in any offence of similar nature
- iii) shall not tamper with the prosecution evidence while on bail.
- iv) shall not influence or threaten any prosecution evidence while on bail.
- v) 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

(A.K. Mohapatra)
Judge

