

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6270 of 2022

1. Prema Tandi
2. Banamali Tandi
3. Lokanath Tandi
4. Trilochan Tandi
5. Sukmani Tandi
6. Jyotshnamayee Jagat
7. Nirmalaya Tandi **Petitioners**

Mr. Manas Chand, Advocate

-versus-

State of Odisha **Opp. Party**

Mrs. Susamarani Sahoo,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
29.06.2022

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with C.T. Case No.176 of 2022 arising out of Khariar P.S. Case No.180 of 2022 pending in the Court of learned J.M.F.C., Khariar for alleged commission of offences under sections 498-B/302/

304-B/34 of the Indian Penal Code read with section 4 of the D.P. Act.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the petitioners are the in-laws of the deceased and petitioners nos.1, 6 and 7 are ladies and the ingredients of the offences are not attracted against the petitioners and the husband of the deceased has taken into judicial custody and therefore, the anticipatory bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, while not inclining to grant anticipatory bail to the petitioners, it is observed that in the event the petitioners surrender in the Court below within a period of four weeks from today and move for bail, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and so far as petitioners nos.1, 6 and 7 are concerned, proviso to section 437(1) Cr.P.C. shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM

