

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4969 of 2022

***Umarani Naik @ Uma @ Abala and
another***

Petitioners

Mr. M.K.Mahapatro
Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
12.7.2022.

Order No.

- 02.
1. This matter is taken up through hybrid mode.
 2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
 3. The Petitioners are in custody since 10th May, 2022 in connection with Handapa P.S. Case No.114/2022 corresponding to G.R. Case No.433/2022 pending in the court of learned S.D.J.M., Athamallik for the alleged commission of the offence under Sections 294/306/34 of I.P.C. read with Section 4 of the D.P. Act.

4. It is alleged that the deceased had arranged the marriage of his daughter with one Chhatrapti Naik which was scheduled to be solemnized on 3rd May, 2022. Though the family members of the said Chhatrapati Naik had agreed not to accept any dowry yet at the last moment, the Petitioner no.1, who is his mother, and Petitioner No.2, who is his sister, demanded cash of Rs.1,50,000/- towards dowry. Since it was beyond the capacity of the deceased to accede to such demand, he became depressed and committed suicide. It is submitted that there is no nexus between the so called demand for dowry and the death of the deceased. It is further submitted that the deceased may have committed suicide because of mental depression for some other reason as it is quite improbable that the father of a girl, who was due to marry the day after, would commit suicide only because of demand being made for Rs.1.50,000/-.

5. Considering the submissions as above, taking into consideration the period of detention of the Petitioners in custody, I am inclined to allow the prayer for bail. Let the Petitioners be released on bail in the aforesaid case on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that they shall appear before the trial court below on each date of posting of the case and in case of even a single default, the said court shall pass appropriate orders to take them to custody again.

6. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

