

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6422 of 2022

1. Basanti Champati

2. Sasmita Biswal

....

Petitioners

Mr.S.K. Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr.Manoranjan Mishra,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
05.07.2022**

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 G.R. Case No.446 of 2022 arising out of Kanas P.S. Case No.45 of 2022 pending in the Court of learned S.D.J.M., Puri for alleged commission of offences under sections 498-A/304-B/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the petitioner no.1 is the mother-in-law and petitioner no.2 is the sister-in-law of the deceased and the husband of the deceased has already been taken into judicial

custody and his bail application is subjudiced. He further submitted that the allegations against the petitioners are omnibus in nature and therefore, the anticipatory bail application of the petitioners may be favourably considered as it is a case of death by poisoning.

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 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