

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6844 of 2022

Sankara Murmu and others

.... ***Petitioners***
Mr. P.S.Nayak, *Advocate*

-versus-

State of Odisha

.... ***Opp. Party***
Mr. P. Tripathy, *A.S.C.*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners seeking pre-arrest bail in connection C.T. Case No.22 of 2022, arising out of Berhampur P.S. Case No.02 of 2022 pending in the court of learned S.D.J.M., Nilagiri for commission of offence punishable under Sections 302/34 of I.P.C.
5. Considering the nature of allegations and taking into account that even though, F.I.R. was lodged by the I.I.C. Berhampur Police Station. It is submitted by learned counsel for the petitioners that the petitioner no.1 is the brother-in-law, petitioner is sister-in-law and petitioner no3 is the mother in law of the deceased. Further, learned counsel for the petitioners submits that there was a love marriage with the deceased and that the family members of the did not him to stay in his house and

the deceased was staying in the house of the father-in-law and that some mental agony he has committed suicide hanging himself.

6. As per medical examination report, death of the deceased due to asphyxia.

7. Taking into consideration the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is directed that in the event the petitioners surrender before the learned court in seisin over the matter within a period of three weeks from today, they shall be released on bail on such terms and conditions as would be deemed just and proper subject to condition that they shall cooperate with the Investigating Officer as and when required for the purpose of investigation.

8. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

