

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7379 of 2022

Pratima Behera @ Minki ***Petitioner***
Mr. Hemanta Kumar Mohanta, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

07.09.2022

Order No.

- 04.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioner that the Petitioner is the sister-in-law of the deceased. It is also submitted by the learned counsel for the Petitioner that the present petitioner is staying separately along with her husband from the deceased. He further submits that the deceased who has some mental ailment committed suicide in which the Petitioner has no role. On perusal of the F.I.R. it is seen that only omnibus allegation has been made against the father-in-law, mother-in-law, brother-in-law and others

alleging torture in connection with demanding of higher dowry.

5. On the other hand, learned Additional Standing Counsel opposes the prayer for bail of the Petitioner on the ground that the investigation is continuing at the moment.

6. Considering the age of the Petitioner and the fact that she is staying away from the family of the deceased, I am not inclined to grant anticipatory bail to the Petitioner and in the event the Petitioner surrenders before the learned S.D.J.M., Baripada in C.T.Case No.989 of 2022 arising out of Jharpokharia P.S.Case No.124 of 2022 within a period of three weeks from today and moves for bail, she shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate with further conditions that the Petitioner while on bail shall cooperate with the investigation and appear before the I.O.as and when required and shall appear before the trial court on each and every date fixed. Violation of any conditions shall entail cancellation of bail.

6. Accordingly, the ABLAPL is disposed of.

7. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge