

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6159 of 2022

***Bishnupriya @ Tiki Mohnaty &
another***

Petitioners

Ms. S.Patro, Advocate

-versus-

State of Orissa

Opp. Party

M/s.S.S.Pradhan, AGA

CORAM:

JUSTICE G. SATAPATHY

ORDER

08.12.2022

Order No.

- 04.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioners for grant of bail in connection with Pattapur P.S. Case No.434 of 2021 corresponding to G.R. Case No.415 of 2021 pending in the Court of learned Nyayadhikari, Gram Nyayalaya-cum-J.M.F.C., Sanakhemundi for commission of offence punishable U/Ss. 498-A/302/34 of the I.P.C. read with Section 4 of D.P. Act on the allegation of committing murder and dowry death of the deceased as well as subjecting her to torture and cruelty prior to her death for demand of dowry.
 3. In the course of hearing of the bail application, Mrs.S.Patro, learned counsel for the petitioners submits that the petitioners are young ladies, who are the married and unmarried sister-in-laws of the deceased and there is absolutely no material available against the petitioners for commission of any offence, but the petitioners are in judicial custody since 28.12.2021 and therefore, petitioners having falsely implicated in this case may kindly be enlarged on bail.

4. On the contrary, Mr.S.S.Pradhan, learned A.G.A. strongly opposes the bail application of the petitioners.

5. Considering the rival submissions made, nature and gravity of accusations raised against the petitioners and their status being married and unmarried lady and taking into consideration the first proviso appended to Section 437 of Cr.P.C. and regard being had to the pre-trial detention of the petitioners since 28.12.2021 and keeping in view the fact that charge sheet has already been submitted in this case and taking into account the other circumstance on record in entirety, this Court admits the petitioners to bail.

6. Hence, the prayer for bail of the petitioners is allowed and the Petitioners be released on bail on furnishing bail bonds of Rs.25,000/- each with two solvent sureties each for the like amount to the satisfaction of the learned trial Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioners shall not leave the jurisdiction of the learned trial Court without prior permission till conclusion of the trial and that the petitioners shall attend the trial Court on each date of posting of the case unless their attendance is dispensed with

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the petitioners without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of the order be granted on proper application.

