

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6188 of 2022

Kuntala Sahoo

....

Petitioner

Mr. M.K. Mohapatro, Advocate

-versus-

State of Orissa

....

Opp. Party

Mr. P.K. Pattnaik, AGA

CORAM:

JUSTICE G. SATAPATHY

ORDER

10.11.2022

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 petitioner for grant of bail in connection with G.R. Case No.1069 of 2022 arising out of Kanhia P.S. Case No.124 of 2022 pending in the file of learned S.D.J.M., Talcher for commission of offences punishable under Sections U/Ss. 498-A/306/304(B)/302/506/323/34 of IPC read with Section 4 of D.P. Act, but subsequently charge-sheet for offences U/Ss. 498-A/306/406/34 of IPC read with Section 4 of D.P. Act, on the allegation of abetting commission of suicide of the deceased and subjecting her to torture and cruelty prior to her death for demand of dowry and misappropriation of dowry articles.
 3. In the course of hearing of the bail application, Mr. M.K. Mohapatro, learned counsel for the petitioner submits that the petitioner is the mother-in-law of the deceased and she had been housed in jail since 07.06.2022 but she is completely innocent of offences and charge-sheet having already been submitted in this case,

there is hardly any scope for the petitioner to tamper with the prosecution witnesses. It is accordingly prayed by learned counsel for the petitioner to grant bail to the petitioner.

4. On contrary, learned counsel for the State, however, seriously opposes the bail application of the petitioner.

5. Considering the rival submissions, the nature and character of accusations made against the petitioner, status of the petitioner as a lady and submission of charge-sheet in this case as well as keeping in view the first proviso appended to Section 437 of Cr.P.C. extending the benefit therein to the petitioner for grant of bail and regard being had to her pre trial detention of the petitioner since 07.06.2022, this Court considers the bail application of the petitioner leniently.

6. Hence, the prayer for the bail of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with and that he shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Subhasmita