

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8828 of 2022

Rasmita Mallick & another

....

Petitioners

Mr. Amitav Tripathy, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr.P.C.Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

30.08.2022

Order No.

- 02.
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 Petitioners for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioners that the principal accused, who is the husband of the victim has been arrested in connection with the present case and sent to custody. Upon instruction, learned counsel for the State submits that the Police is likely to file charge sheet under section 306 of the Indian Penal Code. It is further submitted by the learned counsel for the Petitioner that the injuries found on the body of the deceased was

ante mortem in nature and caused due to hanging and cause of death is asphyxia. So far as the present Petitioner is concerned, Petitioner No.1 is the mother-in-law and Petitioner No.2 is the sister-in-law of the deceased. The only allegation against them is that while the husband of the victim was torturing the victim, the Petitioners were cooperating him.

5. Considering the nature of allegations made, gravity of the offence and the fact that the Petitioners are ladies, 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 J.M.F.C., Tangi in G.R.Case No.272 of 2022 arising out of Tangi P.S.Case No.263 of 2022 within a period of three weeks from today and move for bail, they 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 Petitioners while on bail shall cooperate with the investigation and appear before the I.O. as and when required. They shall also appear before the trial court on each and every date fixed. Violation of 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