

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7029 of 2022

Menaka Karkaria and others

Petitioners

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

12.08.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. Learned counsel for the petitioners is permitted to correct the name of the Court in brief in Court.
4. The petitioners are accused in G.R. (G.N) Case No.45 of 2022, on the files of Nyayadhikari Gram Nayalaya, Kolnora, arising out of Chandili P.S. Case No.93 of 2022, under Sections 302/34 of IPC and is in custody since 30.06.2022.
5. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Rayagada, by order dated 20.07.2022 in the aforementioned case, the present BLAPL has been filed.
6. It is submitted by the learned counsel for the petitioner though the FIR was filed inter alia under Section 302 of IPC, while

forwarding the accused person the implication was under Section 306/34 of IPC.

7. It is submitted by the learned counsel for the petitioners on instructions that in the meanwhile charge sheet has already been filed, hence further continuance is unwarranted.

8. Learned counsel for the State opposes the prayer for bail placing reliance on the suicide note of the deceased and submits that keeping in view the punishment prescribed the petitioners are not entitled to be released on bail.

9. Perused the suicide note of the deceased, considering the same this Court is not inclined to entertain this bail application in respect of Petitioner No.4 and the same accordingly stands rejected.

10. Keeping in view Petitioner Nos.1, 2 and 3 are ladies and the provision contained under Section 437(1) of Cr.P.C. Proviso, this Court directs the Petitioner Nos.1,2 and 3 to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

11. Accordingly, the BLAPL stands disposed of.

12. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi