

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8970 of 2022

Asha Swain

.... ***Petitioner***
Mr. Pratik Dash, Advocate

-versus-

State of Odisha

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.09.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
 3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
 4. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.854 of 2022, arising out of Mahakalpada P.S. Case No.85 of 2022 pending in the court of learned S.D.J.M., Kendrapara for commission of offence punishable under Sections 498-A/506/341/34, I.P.C.
 5. It is submitted by learned counsel for the petitioner that the petitioner is the sister-in-law of the deceased wife. He further submits that the petitioner is staying outside the house for prosecuting her study and she is no way connected with the alleged crime. It is further submitted by learned counsel for the petitioner

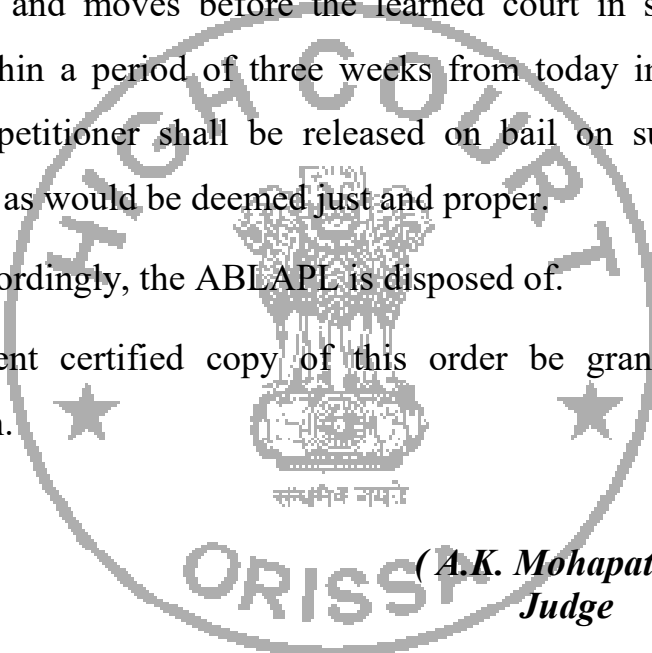
that the petitioner is aged about 18 years.

6. Referring the statement of the neighbor of the victim, learned counsel for the State submits that the petitioner was staying outside the house for prosecuting her study. Further it is submitted that no incriminating materials available on record to implicate the petitioner in the alleged crime.

7. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders and moves before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, the petitioner shall be released on bail on such terms and conditions as would be deemed just and proper.

8. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.



(A.K. Mohapatra)
Judge