

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9563 of 2022

Rajani @ Sajani Moharana

....

Petitioner

Mr. B.K. Bal, Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

26.08.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the petitioner and learned 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.269 of 2022, arising out of Salipur P.S. Case No.108 of 2022 pending in the court of learned J.M.F.C., Salipur for commission of offence punishable under Sections 294/323/498-A/306/406/506/34, I.P.C.

5. It is submitted by learned counsel for the petitioner that the petitioner is the mother-in-law of the deceased. It is further submitted by learned counsel for the petitioner that in the meantime, charge-sheet has already been submitted in the case.

6. Learned counsel for the State opposes the prayer for bail of the petitioner and further submits that there is serious allegation of dowry torture and he further submits that Post-mortem examination report and

viscera report are yet to be received.

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 an application for bail 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 with further conditions that :-

- I. The petitioner shall not default in attendance of the court during trial on each date of posting;
- II. she shall not tamper with the prosecution evidence in any manner whatsoever.

Violation of any of the terms and conditions shall entail cancellation of bail.

8. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

(*A.K. Mohapatra*)
Judge