

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9764 of 2022

Bhagyalaxmi Behera

.... ***Petitioner***
Mr. Abhishek Dash, 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.

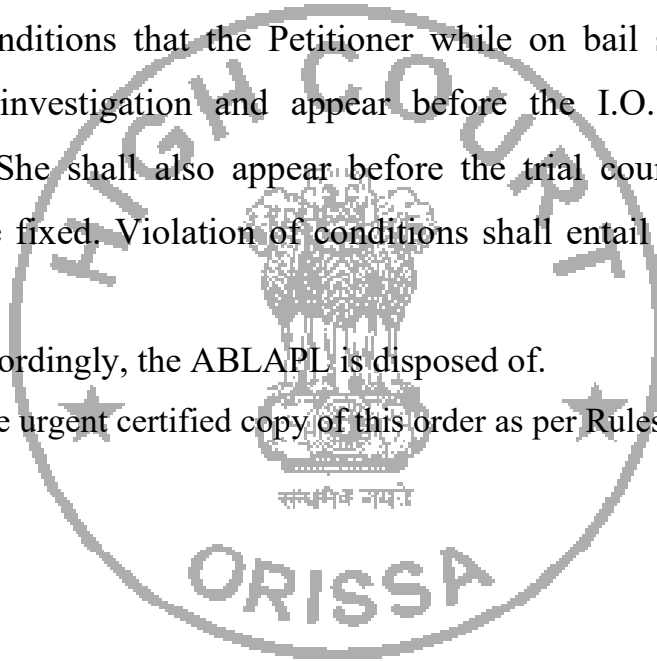
- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioner for anticipatory bail.
 4. It is submitted by the learned counsel for the Petitioner that the Petitioner is married sister-in-law of the deceased victim. Further, it is submitted by the learned counsel for the Petitioner that she is not living with the victim and her husband. However, on plain reading of the F.I.R. that the allegation made against the Petitioner are omnibus in nature and no specific allegation has been made about the role played by the Petitioner. Further, it is contended by the leaned

counsel for the Petitioner that the occurrence took place beyond seven years of marriage.

5. Considering the nature of allegations made, gravity of the offence and the facts 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 before the learned S.D.J.M., Baripada in C.T.Case No.989 of 2022 arising out of Jharpokharia P.S.Case No.124 of 2022 within a period of three weeks from today and moves for bail, she 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 Petitioner while on bail shall cooperate with the investigation and appear before the I.O. as and when required. She 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