

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8066 of 2022

Sabitri Behera

....

Petitioner

Mr. Sk. Zafarulla, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K. Das, A.S.C.

Mr.S.Swain, Advocate for the informant

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

29.09.2022

Order No.

02.

1. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.302/34, I.P.C.

2. Heard Mr. Sk. Zafarulla, learned counsel for the Petitioners, Mr. K. Das, learned A.S.C. for the State-Opposite Party and Mr. S. Swain, learned counsel for the informant.

3. It is submitted on behalf of the Petitioner that she is a woman aged about 56 years and inside custody since 21.7.2020 and the murders were committed in the heat of passion.

4. This is a case of double murder.

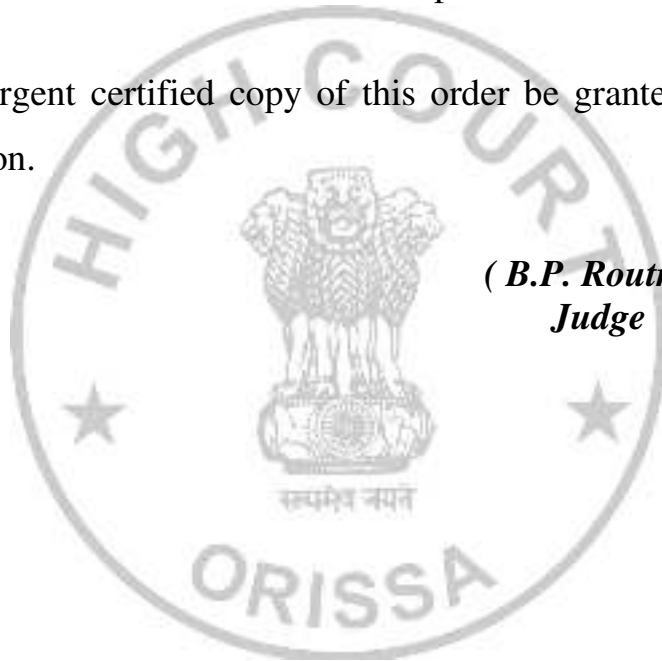
5. After hearing Mr. K. Das, learned Additional Standing Counsel for the State-Opposite Party and upon perusal of evidence of P.W.1 (informant) and P.W.2 (independent eye-witness) and the specific role attributed against the present Petitioner in commission of the offences as well as considering the proviso

under Section 437(1) of the Cr. P. C., it is directed to release the Petitioner on bail in connection with Soro P.S. Case No.225/2020 corresponding to S.T. Case No.36/61 of 2021 on such terms and conditions to be fixed by the learned Addl. Sessions Judge, Balasore as he deems just and proper.

6. The BLAPL is disposed of.

7. Copy of the deposition of P.W.2 filed by Mr. Sk. Zafarulla, learned counsel for the Petitioner is kept on record.

8. An urgent certified copy of this order be granted on proper application.



(*B.P. Routray*)
Judge