

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7131 of 2021

Damayanti Pradhan

....

Petitioner

Mr. Sukanta Kumar Dalai, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Anupam Rath, Additional Standing Counsel

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

06.01.2022

Order No.

- 02.
1. Heard Mr. S.K. Dalai, learned counsel for the Petitioner and Mr. A. Rath, learned Additional Standing Counsel.
 2. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner Damayanti Pradhan in connection with Balugaon P.S. Case No.43 of 2020 corresponding to G.R. Case No.118 of 2020 pending in the court of learned J.M.F.C., Chilika for alleged commission of offence under Sections 498-A/304-B/306/406/34 of the Indian Penal Code read with section 4 of Dowry Prohibition Act.
 3. It is submitted on behalf of the Petitioner that she is the mother-in-law aged about 51 years and inside custody since 16th March, 2020 barring some interim period when she was released on bail under some misconception. Presently she is inside custody since 27th July, 2021. It is further submitted that despite liberty being given to the Petitioner to renew his prayer for bail after examination of relevant witnesses in course of trial vide order dated 7th September, 2020 in

BLAPL No.2900 of 2020, the same could not be availed by the present Petitioner for non-commencement of trial till date.

4. After hearing Mr. Rath, learned Addl. Standing Counsel for State and considering the statement of different witnesses as well as the circumstances of the case and considering the period of detention of the Petitioner inside custody as well as the proviso to Section 437(1) Cr.P.C., it is directed to release the present Petitioner on bail in the aforesaid case on such terms and conditions to be fixed by the learned court in seisin over the matter including the condition that, the Petitioner shall not dissuade any witness directly or indirectly by way of inducement, threat or promise acquainted with the facts of the case from disclosing such facts before the Court or tamper with the evidence.

5. The BLAPL is accordingly disposed of.

6. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge