

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8122 of 2022

***Sadhu Charan Behera and
another***

Petitioners

Mr. S.K. Dash , Advocate

-versus-

State of Odisha

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
19.12.2022**

Order No.

02.

1. Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners are accused in G.R. Case No.296 of 2022, pending in the file of learned NGN-cum-J.M.F.C., Tangi, arising out of Tangi P.S. Case No.290 of 2022, for alleged commission of offence under Sections 498-A/302/304-B/34 of IPC read with Section 4 of the D.P. Act.

3. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned 1st Additional Sessions Judge, Khurda by order dated 16.08.2022 in the aforementioned case, the present BLAPL has been filed.

4. Perused the order of rejection.

5. It is submitted petitioners are in custody since 21.06.2022 and charge sheet has been filed on 08.10.2022 and that the husband of the deceased has already been released on bail by this Court by order dated 04.11.2022 in BLAPL No.8180 of 2022.

6. Hence it is submitted that the petitioners being in-laws, taking into account the nature of allegations their further continuance in custody is not warranted.

7. This Court while releasing the husband, specifically noted that post-mortem report which opined that it's a case of suicidal hanging and that the unfortunate incident occurred because of altercation between the deceased and her husband.

8. Taking into account the background in which the unfortunate incident happened and keeping in view filing of charge sheet inter alia under Section 306 of IPC, this Court directs the petitioners to be released on bail.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi