

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11230 of 2021

Basant Das & Others

....

Petitioners

Mr. Rituranjan Chhotaray, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K. Nayak, AGA

CORAM:

MR. JUSTICE D.DASH

ORDER

11.08.2022

Order No.

06. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Learned counsel for the Petitioners submits that the Petitioners being the in-laws of the deceased have been arraigned in the case with the false allegation that they were joining with the husband of the deceased in demanding dowry and ill-treating the deceased for non-fulfillment of the same. He further submits that the nature of death in the case has been ascertained as suicidal. It is also his submission that here the deceased having committed suicide by hanging herself, the husband of the deceased being arrested is now on bail. It is further submitted that the Doctor conducting the post mortem examination has not found any external injury on the body of the deceased which is suggestive of the fact that there was no physical torture sometime before the incident. In view of all

these above, when the Petitioners having been granted with the protection with effect from November, 2021 have co-operated with investigation without misusing the same in any manner, he urges for grant of anticipatory bail to these Petitioners.

3. Learned counsel for the State although does not dispute the relationship of these Petitioners with the deceased yet opposes the move in view of the allegation that they were also torturing the deceased for non-fulfillment of the demand.

4. Considering the submissions and on going through the nature of accusations; further keeping in view the surrounding circumstances of the case as also concerning the Petitioners and in the absence of any other impediment, it is directed that in the event the Petitioners surrender before the court in seisin of the case in connection with Chandrasekharpur P.S. Case No.340 of 2021 corresponding to C.T. Case No.4069 of 2021 pending in the court of learned S.D.J.M., Bhubaneswar within three weeks hence and moves for their release on bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the said court with further conditions that they will not threaten or terrorize the prosecution witnesses in any manner.

5. The ABLAPL is accordingly disposed of.

Issue urgent certified copy of this order as per rules.

(D. Dash)
Judge