

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL NO. 7264 of 2020

SukantiRaula

....

Petitioner

Mr.A.R.Panda,
Advocate

-versus-

State of OdishaOpposite Party

Mr.M.K.Mohanty, ASC

CORAM:

JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
10.01.2022

1. This matter is taken up by virtual mode
2. The petitioner is an accused in S.T. Case No.09 corresponding to G.R.Case No.400 of 2019 arising out of Chhatarpur Police Station Case No.210 of 2019 pending in the Court of learned Additional Sessions Judge, Chatrapur initially registered for the offences under Sections 498-A/323/307/341 of the Indian Penal Code read with Section 4 of the D.P.Act but subsequently charge sheet has been submitted under Sections 302/34 of the Indian Penal Code besides other offences.
3. The petitioner is the mother-in-law of the deceased.
4. It is alleged in the F.I.R. that the petitioner along with her family members tortured the deceased both physically and mentally demanding more dowry and committed murder for non-fulfillment of their demand.
5. Learned counsel for the petitioner submits that the petitioner is a lady who has been languishing in custody since 04.09.2019.

It is further submitted that there is no specific allegation against the petitioner. Admittedly, the deceased was a tenacious lady and all along she was insisting to stay in her parent's house, for which, there was dispute arose between the husband and wife. The petitioner has never demanded any dowry rather always tried to settle the dispute between her son and daughter-in-law. It is further submitted that the co-accused has already been released on bail by order of this Court in BLAPL No.6105 of 2020.

6. Learned counsel for the State vehemently opposed the bail prayer of the petitioner.

7. Considering the submissions made and the factum of release of co-accused on bail as well as period of detention of the petitioner, it is directed that the petitioner be released on bail in the aforesaid case on such terms and conditions as deemed just and proper by the learned court in seisin over the matter with further conditions that:

- i. The petitioner shall appear before the learned trial court on each date of posting of the case and
- ii. she shall not tamper with the prosecution evidence in any manner.

Violation of any of the conditions shall entail cancellation of the bail.

8. The bail application is accordingly disposed of being allowed.

9. As the restrictions due to resurgence of Covid-19 are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the Advocate concerned with his/her seal, in the manner prescribed vide Court's Office Order dated 7th January, 2022.



(S.K.Panigrahi)
Judge

LB