

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11546 of 2022

***Pinki Sahu @ Pankajini Sahu &
another***

....

Petitioners

Mr. Gyana Ranjan Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Sitikant Mishra, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
11.10.2022**

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail, involving offence punishable under Sections 498-A/304-B/302/294/323/506/34, I.P.C. and Section 4 of D.P. Act.
4. It is submitted by learned counsel for the Petitioners that the deceased committed suicide due to depression caused by various factors in the family including the bad habits of her husband and unemployment condition of her husband. He further submits that, so far as the present Petitioners are concerned, they are sisters-in-law of the deceased. It is alleged that Petitioner No.1 was bringing back the victim from going out and moving around. It is further submitted that

the brothers jointly constructed a new house, in which two brothers contributed money. However, the husband of the deceased could not contribute anything. Therefore, there was some pressure on her.

Learned counsel for the State on the other hand submits that on the fateful day there was scuffle among the family members and both the petitioners had a fight with the deceased. Thereafter the deceased went inside her room and locked the door from inside and had committed suicide by hanging.

5. On perusal of the materials available on record so far, although this Court is not inclined to grant anticipatory bail to the Petitioner, however, it is observed that, in the event the Petitioners surrender and move for bail before the learned S.D.J.M., Berhampur in G.R. Case No.2083 of 2022 corresponding to Badabazar P.S. Case No.222 of 2022 within a period of three weeks from today, they shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case.

However, while imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) They shall not threaten, terrorise, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner whatsoever.

- (iii) They shall appear before the trial court on each and every date fixed for trial, without fail.

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

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

S.K.Parida

