

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13043 of 2022

Gouri Nayak @ Gourimani

Petitioner

....
Mr.Surendra Ku. Biswal, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

Mr.M.K.Mohanty, A.S.C.

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

ORDER

12.10.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 498-A, 304-B, 506, 294, 306/34 of the Indian Penal Code read with Section 4 of the D.P.Act.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is the mother-in-law. He further submits that although initially a case was registered under sections 498-A, 302, 304-B, 506/34 of the Indian Penal Code read with Section 4 of the D.P.Act, but after conclusion of investigation charge sheet has been filed adding Section 306 of the Indian Penal Code along with other allied offences. It is further submitted by the learned counsel for the Petitioner that the deceased victim has committed suicide leaving a suicidal note wherein she has not blamed anybody. It is further

submitted by the learned counsel for the Petitioner that the husband of the deceased was arrested in connection with the present case has already been released on bail by the learned court below.

5. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C.(R), Balasore in C.T.Case No.23 of 2022 arising out of Rupsa P.S.Case No.02 of 2022 within a period of three weeks from today, she 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.

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

- (i) The Petitioner shall appear before the trial Court on each and every date fixed;
- (ii) He shall not tamper with the prosecution witnesses in any manner whatsoever while on bail.

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

6. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge