

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13482 of 2022

Dharmendra Biswal & Another ***Petitioners***
Mr .D.K. Mohapatra, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. Shashanka Patra, A.S.C.

CORAM:
JUSTICE CHITTARANJAN DASH

ORDER
17.11.2022

Order No.

- 03.
1. Heard learned counsel for the Petitioner and the State.
 2. By means of this application, the Petitioners seek grant of bail under Section 438, Cr.P.C. in anticipation of arrest for their alleged involvement in the offence under Sections 498-A/302/34, I.P.C., in connection with Simulia P.S. Case No.89 of 2022 corresponding to C.T. Case No.257 of 2022 pending in the court of learned J.M.F.C., Soro.
 3. It is submitted by learned counsel for the State that the death of the deceased is consistent with suicidal hanging.
 4. It is submitted by learned counsel for the Petitioners that the present petitioners ordinarily goes out of the house for their livelihood and that the husband having taken to custody, was released on bail.

5. Keeping in view the facts and circumstances of the case and the nature of death of the deceased, seriousness and gravity of the offence, it is directed that in the event the Petitioners surrender and move for bail before the learned J.M.F.C., Soro in the aforesaid C.T. Case within a period of three weeks hence, they shall be admitted to bail on such terms and conditions as would be deemed just and proper by the said court, but subject to the following further conditions –

- (i) The Petitioners shall appear before the I.O. and shall cooperate with the investigation, as and when required;
- (ii) They shall also appear before the trial court on each date of trial, without fail, till conclusion of the trial.
- (iii) They shall not threaten, terrorise, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever.
- (iv) Violation of any of the conditions, as above, shall entail cancellation of the bail automatically.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge