

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10002 of 2021

Kabita Samal

...

Petitioner

Mr. S. Mohanty, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. P. Tripathy,

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

19.01.2022

Order No.

1.

1. This matter is taken up through virtual mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel.
3. The petitioner is in custody since 13.08.2020 in connection with Balikuda P.S. Case No.176 of 2020 corresponding to C.T. Case No.137 of 2020 of the Court of learned Addl. Sessions Judge, Jagatsinghpur for the alleged commission of offence under Section 302 of IPC.
4. As per the FIR story, the petitioner is the wife of the deceased and on the date of occurrence they had a quarrel, in course of which, the petitioner is said to have assaulted the deceased by means of an axe causing fatal injuries. It is further stated that there was frequent quarrel between the husband and wife as the husband used to consume alcohol and pick up quarrel in the house.
5. Considering the nature of allegation, the period of detention already undergone and the fact that the case has already been committed to the Court of Sessions, I am inclined to allow the prayer for bail. Let the petitioner be released on

bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that she shall personally appear before the trial court on each date of posting of the case.

6. BLAPL is accordingly disposed of.

7. As the restrictions due to resurgence of Covid-19 situation 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 concerned advocate, in the manner prescribed vide Court's Notice No. 4587, dated 25th March, 2020, modified by Notice No. 4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.

(Sashikanta Mishra)
Judge

A.K. Rana

