

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.15352 OF 2021

Jyosnamayee Behera @ Meena & Others ***Petitioners***

Mr. J.K. Panda, Advocate

-versus-

State of Odisha

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

Mr. Samaresh Jena, ASC,

CORAM:

MR. JUSTICE D.DASH

ORDER

22.09.2022

Order No.

- 02.
1. This matter is taken up through hybrid arrangement (virtual/ physical) mode.
 2. The Petitioners having been implicated in connection with Cuttack Mahila P.S. Case No.120 of 2021 corresponding to G.R. Case No.1330 of 2021 registered for alleged commission of offence under section 498-A/294/323/304-B/506/34 of the IPC, pending in the court of learned S.D.J.M.(S), Cuttack, have filed this application under section-438 Cr.P.C. for their release in the event of their arrest in the aforesaid case.
 3. Learned counsel for the Petitioners submits that the Petitioners being the married sister-in-laws of the deceased have been arraigned in the case on the general allegations that they were demand dowry and torturing the deceased, when it is stated that the death of the deceased has been caused because of forcible administration of some medicines by her husband i.e. accused Tarun Kumar Sahoo. He submitted that the allegations with regard to demand and torture upon the deceased by these Petitioners are all false and omnibus and more importantly, the

death of the deceased has taken place on account of her suffering from Tuberculosis Lymphadenitis, for which it is said to be a case of natural death. In view of all these above, when the Petitioners have no role in the death of the deceased and in the absence of any other impediment; he urges for grant of anticipatory bail to the Petitioners.

4. Learned Counsels for the State opposes the move on the ground that there is the allegation that the Petitioners were continuously harassing and torturing the deceased.

5. Considering the submissions and on going through the nature of accusations; further keeping in view the surrounding circumstances of the case as also concerning the Petitioners and in the absence of any other impediment, it is directed that in the event the Petitioners surrender before the Court in seisin of the in the above mentioned case within two weeks hence and move for their release on bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the said Court with further condition that they will not threaten or terrorize the prosecution witnesses in any manner.

6. The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan