

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11394 of 2021

Sushila Meher

....

Petitioner

Mr. S. Panda, Advocate

-Versus-

State of Odisha

....

Opposite Party

Mr. K.K. Das, Additional Standing Counsel

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

25.03.2022

Order
No.

- 02.
1. Heard learned counsel for the petitioner and learned counsel for the State.
 2. This is an application under Section 439 of Cr.P.C for grant of bail to the petitioner in connection with Padampur P.S. Case No.144 of 2021 registered under Section(s) 498-A, 294, 304-B, 302, 506 read with 34 IPC and Section 4 of the D.P. Act corresponding to C.T. Case No.66 of 2021 pending in the file of learned Additional Sessions Judge, Padampur on the grounds stated therein.
 3. Mr. Panda, learned counsel for the petitioner submits that the accused is the mother-in-law of the victim and she is in judicial custody since last eight months and last time, her bail was refused by order dated 22nd November, 2022 in BLAPL No.8569 of 2021 and considering the length of detention and the fact that recently case was committed to the court of session, she should be enlarged on bail with any conditions, which is objected to by the learned counsel for the State.

4. It is submitted that solely on the strength of oral dying declaration of the victim which she claimed to have made before her family members, while being shifted to the hospital, the petitioner has been implicated and considering the same and recent development regarding the commitment of the case, she should be granted bail. However, the Court is not inclined to accept the above contention and also finds no changed circumstance to reconsider the bail plea of the petitioner.

5. In fact, above submissions regarding the oral dying declaration was examined and discussed by the court while disposing of BALPL No.8269 of 2021 while refusing bail to her. In such view of the matter, only by considering that the case, in the meantime, stands committed to the Court of Session, the Court is not inclined to accede to the above request.

6. Accordingly, the bail application stands rejected.

7. However, the learned Sessions Court to which the case has been committed is requested to expedite the trial by framing charges at the earliest and ensure its completion, preferably, within a period of six months from the date of receipt of certified copy of this order.

(R.K. Pattanaik)
Judge