

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11424 of 2021

Nifisha Bvanu@Rinki and others ***Petitioners***

Mr. K. Mohanty, Advocate

-versus-

State of Odisha

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

Mr. A. Rath, A.S.C.

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

08.02.2022

Order No.

01.

1. This is an application under Sec.439 Cr.P.C. for bail and the offences alleged are under Secs.302/120-B/147/148/326-A/149, I.P.C.

2. Heard Mr. K. Mohanty, learned counsel for the Petitioners as well as Mr. A. Rath, learned A.S.C. for the State-Opposite Party.

3. It is submitted that the Petitioners are young women inside custody since 21.11.2019 and the trial is yet to commence. It is further submitted that no eye-witness to the occurrence is there and the case against the Petitioners is based on circumstances.

4. Mr. A. Rath, learned A.S.C. for the State-Opposite Party on the other hand submits that there are ample circumstances against the present Petitioners to implicate them on the alleged offences and the death of the deceased is by acid attack.

5. Upon hearing both the parties, it reveals that the deceased had physical relationship with the Petitioner No.3-Ratneswari Barik and she was impregnated by the deceased on different occasions.

Despite the same, the deceased decided to marry another girl for which conspiracy was there to kill the deceased. It also reveals that the deceased had criminal antecedents.

6. Considering the period of detention of the Petitioners inside custody and circumstances of the case, particularly keeping in view the proviso to Section 437(1) of the Cr.P.C., it is directed to release the Petitioners on bail in connection with Lakhna P.S. Case No.66/2019 corresponding to S.T. Case No.24/5 of 2020 on such terms and conditions to be fixed by the learned Addl. Sessions Judge, Nuapada as he deems just and proper including the condition that the Petitioners shall attend the trial court on each date fixed.

7. The BLAPL is accordingly disposed of.

8. An urgent certified copy of this order be granted on proper application.

(**B.P. Routray**)
Judge