

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.16210 of 2022**

***Shrimati Biswas***

.... ***Petitioner***  
Mr. G. Mishra, Advocate

***-versus-***

***State of Odisha***

.... ***Opposite Party***  
Mr. S. Jena, ASC

**CORAM:**  
**MR. JUSTICE D.DASH**

**ORDER**  
**23.12.2022**

**Order No.**

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1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Learned counsel for the Petitioner submits that this Petitioner being the mother-in-law of the deceased has been unnecessarily arraigned in the case as within seven years of marriage, the deceased committed suicide. He further submits that the allegation with regard to demand of dowry and torture upon the deceased for non-fulfillment of the same are all false and have been made in a general manner that this Petitioner was joining with others in that. He submits that the doctor conducting PM examination has given the opinion as to nature of death as suicidal and he has also not noticed any such external injury suggestive of physical torture upon the deceased sometime before the incident. He also submits that the husband of the deceased in the meantime being arrested is in custody. In

view of all these above, he urges for grant of anticipatory bail to this Petitioner.

3. Learned counsel for the State does not dispute the cause of death as per the opinion of the doctor. According to him, the death having not taken place under normal circumstances, on the face of the allegations as to demand and torture, complicity of these Petitioner at this stage stands drawn by virtue of presumption available under section 113-A & 113-B of the Evidence Act.

4. 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 Petitioner and in the absence of any other impediment, it is directed that in the event the Petitioner surrenders before the court in seisin of the case in connection with Kalimela P.S. Case No.278 of 2021 corresponding to G.R. Case No.528 of 2021 pending in the court of learned J.M.F.C., Motu within three weeks hence and moves for her release on bail, she shall be released on bail on such terms and conditions as would be deemed just and proper by the said court with further conditions that she shall not threaten or terrorize the prosecution witnesses in any manner.

5. The ABLAPL is accordingly disposed of.

6. Issue urgent certified copy as per rules.

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