IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.8889 of 2026
CNR No. ODHC010673032026

Benguli @ Kalpana Behera **.....** ***Petitioner***

Represented by Adv. -
Bijay Kumar Parida

-versus-

State of Odisha **.....** ***Opposite Party***

Represented by Adv. -Mr.
U.C.Jena, A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **29.10.2026**

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the bail application as well as the case diary and other materials placed on record in course of hearing.

3. The present bail application under Section 483 of the B.N.S.S. has been filed by the Petitioner for regular bail in connection with S.T Case No.105 of 2026, arising out of Kalinganagar (Duburi) P.S Case No.105 of 2026, pending in the Court of learned Addl. Sessions Judge, Jajpur Road for alleged commission of offence punishable under Sections 80, 85, 351(3), 108, 3(5) of BNS, r/w sec- 4 of DP Act.

4. Learned counsel for the Petitioner, at the outset, contended

that the Petitioner, who happens to be the sister-in-law of the deceased, has been languishing in custody since 28.04.2026. He further contended that the Petitioner is at an advanced stage of pregnancy and, therefore, requires constant medical attention. It was also contended that the Petitioner has been falsely implicated in the present case at the instance of the family members of the deceased.

5. Learned counsel for the Petitioner, further referring to the prosecution case, submitted before this Court that, as per the prosecution allegation, the deceased committed suicide by pouring kerosene oil over her body and setting herself on fire. The occurrence is stated to have taken place inside the closed room of the deceased. He further submitted that, upon hearing the screams of the deceased, some outsiders broke open the door and attempted to rescue her. However, the deceased eventually succumbed to the burn injuries sustained by her, which were to the extent of 85%.

6. Learned counsel for the Petitioner at this juncture contended that, so far as the present Petitioner is concerned, there are no direct materials implicating her in the commission of the alleged crime. He further submitted that there is no allegation of the Petitioner having subjected the deceased to any form of harassment while she was staying at her parental home. He also contended that the principal allegations are directed against the mother-in-law of the deceased, who has already been arrested and is presently languishing in custody.

7. Learned counsel for the Petitioner, further referring to the post-mortem report as well as the other materials available on record, submitted that the death of the deceased was suicidal in nature. In such view of the matter, learned counsel contended that the Petitioner, who has been falsely implicated in the present case, may

be enlarged on bail subject to such stringent terms and conditions as this Court may deem fit and proper.

8. Learned Additional Standing Counsel on the other hand opposed the bail application of the Petitioner on the ground of gravity and seriousness of the allegation. He further contended that in the event the Petitioner is released on bail there is every likelihood that he might indulge in similar criminal offences.

9. Having heard learned counsel for the respective parties and on careful consideration of the surrounding facts as well as materials on record, this Court is inclined to release the Petitioner on bail on furnishing a bail bond of Rs.40,000/- (Rupees Forty Thousand) with two local solvent sureties for the like amount to the satisfaction of the learned court in seisin over the matter. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper. Violation of any of the terms and conditions shall entail cancellation of bail.

10. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)

Judge

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Signature Not Verified
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Reason: Authentication
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