

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 791 of 2022

Sukanta Behera

...

Petitioner

Mr. A.K. Jena, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. M.R. Mishra,

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

16.09.2022

Order No.

3.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 02.12.2021 in connection with Byree P.S. Case No. 214 of 2021 corresponding to C.T. Case NO. 1889 of 2021 of the Court of learned J.M.F.C., Chandikhole for the alleged commission of offence under Sections 417/376/323/306 of IPC.
4. It is alleged the petitioner had a love relationship with the victim who insisted on marriage, whereupon the petitioner is said to have refused and asked her to die. Prima facie, this cannot be treated as an act of instigation so as to persuade a person to commit suicide.
5. Considering the above fact, the period of detention of the petitioner in custody and the fact that charge sheet has already been submitted, I am inclined to allow the prayer for bail. Let

the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial court on each date of posting of the case without fail.

6. The BLAPL is accordingly disposed of.

7. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

B.C. Tudu

