

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1157 of 2022

Sudam Charan Das* *Petitioner

Mr. A.N. Samantray, *Advocate*

-versus-

State of Odisha* *Opp. Party

Mr. A.K. Beura,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

08.02.2022

Order No.

01. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

Heard the learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.26 of 2022 arising out of Abhayachandpur P.S. Case No.15 of 2022 pending in the Court of learned J.M.F.C., Ersama for alleged commission of offences under sections 498-A/304-B/302/34 of the Indian Penal Code read with section 4 of the D.P. Act.

Perused the F.I.R.

Learned counsel for the petitioner submitted that

the petitioner is the husband of the deceased Rilirani Das and he was not present in the house when the deceased attempted to commit suicide but on coming to know about the same, the deceased was immediately shifted to Kujanga C.H.C. and then to S.C.B. Medical College and Hospital, Cuttack and she was then taken to Sun Hospital at Tulasipur, Cuttack where she breathed her last on 11.10.2021. Learned counsel further submitted that after the death of the deceased, a false case has been foisted against the petitioner for commission of offences under sections 304-B/302 of the Indian Penal Code and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders in the Court below within a period of four weeks from today and moves for bail before the learned Court below, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law. The case records including the post mortem report shall be made available to the Court concerned

for adjudication of the bail application.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM

