

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1557 of 2022

Karuna Kara Parida

....

Petitioner

Mr. J. Sahoo, Adv.

- Versus -

State of Odisha

....

Opp.Party

Mr. S.K. Mishra,

Addl. Standing Counsel.

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

06.09.2022

Order No.
04.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner is in custody since 16.11.2021 in connection with Polasara P.S. Case No.396 of 2021 corresponding to G.R. Case No.166 of 2021 pending in the Court of learned J.M.F.C., Polasara for the alleged commission of offence under Sections 498-A/302/304-B/34 of IPC
4. The petitioner is the husband of the deceased, who is said to have been killed by the petitioner and his family members after subjecting her to cruelty in connection with demand for dowry. It is submitted that the petitioner used to reside in Surat and had come to the village only three days prior to the occurrence. The allegations of demand for dowry etc. appear to be omnibus in nature. The post mortem report shows no injury whatsoever on the body of the deceased. Of course, the viscera report shows that the victim had consumed poison but in the absence of injury on the body it is difficult to prima facie accept the allegation that she

was forcibly administered poison.

5. Taking into consideration all the above facts and the period of the detention of the petitioner in custody, 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 the posting of the case and in case of even a single default, necessary orders shall be passed by the Court below to take him to custody again. Further he shall appear before the IIC of Polasara Police Station on every Sunday at 10 a.m. till conclusion of trial and such fact shall be certified by the IIC to the concerned court once in a month.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

