

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1666 of 2022

Suresh Chandra Sahoo @ Suresh Sahoo ***Petitioner***

Mr. A. Mishra, Advocate

-versus-

State of Orissa ***Opp. Party***
Mr. P.K. Pattnaik, A.G.A.

**CORAM:
JUSTICE G. SATAPATHY**

ORDER
20.12.2022

Order No.

- 09.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Sukinda P.S. Case No.87 of 2021 corresponding to C.T. Case No. 140 of 2021 pending in the file of learned G.N. cum-J.M.F.C., Sukinda for commission of offences punishable U/Ss. 498-A/302/201/34 of IPC r/w 4 of the D.P. Act, on the allegation of committing murder of his wife and causing disappearance of evidence as well as subjecting the deceased to torture and cruelty prior to her death for demand of dowry.
 3. In the course of hearing of the bail application, Mr. A. Mishra, learned counsel for the Petitioner by filing certified copy of deposition of ten witnesses submits that all the witnesses so far examined including the father of the deceased in this case, but all the material witnesses have turned hostile and they have not supported the prosecution case and the Petitioner is inside jail custody since 18.02.2022. It is therefore, prayed to grant bail to the petitioner.
 4. Mr. P.K. Pattnaik, learned A.G.A., strongly opposes the bail

application of the Petitioner.

5. Considering the rival submissions made and on going through the deposition of witnesses examined so far in this case, this Court considers it to be a fit case for exercise of discretion under section 439 Cr.P.C. to grant bail to the Petitioner.

6. Hence, the prayer for the bail of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with and that he shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case.

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the Petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge