

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1933 of 2022

Manmath Prusty @ Prusti

.... Petitioner

Mr. P.S. Nayak, Adv.

- Versus -

State of Odisha

.... Opp.Party

Mr. P. Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

15.09.2022

Order No.

3.

1. This matter is taken up through hybrid mode.
2. As directed, learned court below has submitted a report stating that no other witnesses have been examined after examination of P.W.-14 and that in spite of repeated summons and messages, the official witnesses are not turned up.
3. The petitioner is in custody since 21.09.2017 in connection with Mangalpur P.S. Case No.153 of 2017 corresponding to C.T. Case No. 26 of 2018 pending in the Court of learned Addl. District & Sessions Judge, Jajpur for the alleged commission of offence under Sections 498-A/302/304-B/34 of IPC read with Section 4 of DP Act.
4. The petitioner is the husband of the deceased, who is said to have committed suicide. It is submitted that the petitioner had no role to play in such suicide of his wife, inasmuch as even as per the prosecution, the deceased committed suicide by bolting the door of her room from inside.

5. Considering the facts and circumstances, while not being inclined to grant regular bail to the petitioner, yet having regard to the fact that trial appears to be progressing quite slowly and the petitioner has been in custody for more than five years, I am inclined to take a lenient view in the matter. The bail application is therefore, disposed of directing the learned court below to release the petitioner on interim bail for a period of three months from the date of his actual release on such terms and conditions as he may deem fit and proper to impose.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

A.K. Rana



(Sashikanta Mishra)
Judge