

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.2016 of 2022

Pradipta @ Pradipta Beheramali

....

Petitioner

Mr. B.S.Dasparida
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.5.2022.

Order No.

02.

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 15th November, 2021 in connection with Athamallik P.S. Case No.56/2020 corresponding to C.T. (S) Case No.53 of 2021 (G.R. Case No.256(A)/2020) pending in the court of learned Addl. District and Sessions Judge, Athamallik for the alleged commission of the offence under Sections 498-A/302/304-B/34 of the I.P.C. read with Section 4 of the D.P. Act.

4. The Petitioner is the brother-in-law of the deceased. It is alleged that the Petitioner along with his family members subjected the deceased to mental and physical cruelty in connection with demand for dowry and ultimately killed her. It is submitted that the allegations are entirely omnibus in nature as nothing specific has been attributed to the Petitioner. That apart, the mother-in-law of the deceased, who stands on similar footing has already been released on bail as per order passed by this Court in BLAPL No.4918/2020.

5. Learned Addl. Standing Counsel has opposed the prayer for bail by submitting that there are evidence to show that the Petitioner and all his family members used to jointly assault the deceased in connection with demand for dowry.

6. Considering the nature of accusations as exists against the Petitioner, the materials on record and in the absence of any specific overt act being attributed to him as also taking into account the period of his detention in custody, I am inclined to allow the prayer for bail.

7. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall appear before the court below on each date of posting of the case and in case of even a single default, the court shall issue N.B.W. against him to take him to custody again.

8. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

