

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2797 of 2022

Basu @ Basudev Das* *Petitioner

Mr. G.K. Rath, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr. Arupananda Das,
Addl. Government Advocate
Mr. Sanjit Mishra, Advocate for
the informant*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
07.04.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Mr. Sanjit Mishra, learned counsel submits that he has filed vakalatnama on behalf of the informant.

Let the Registry place the vakalatnama on record.

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Badagada P.S. Case No.82 of 2022 corresponding to C.T. Case No.1483 of 2022 pending

in the Court of learned S.D.J.M., Bhubaneswar for commission of the alleged offence punishable under section 306 of the Indian Penal Code.

Perused the first information report annexed to the anticipatory bail application.

Learned counsel for the petitioner submitted that the petitioner is the husband of the deceased and there are no such materials to attract the ingredients of the offence under section 306 of the Indian Penal Code and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that the petitioner was having extra-marital relationship with another lady and when he was opposed to by the deceased, the deceased was assaulted by the petitioner for which she was compelled to end her life.

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

shall be made available to the Court concerned.

The ABLAPL stands disposed of.

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

(S.K. Sahoo)
Judge

RKM

