

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3179 of 2022

Sudarsan Khamari

....

Petitioner

Mr. J.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
27.07.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in S.T. Case No.6 of 2022, on the files of learned C.J.M.-cum-Asst. Sessions Judge, Boudh, arising out of Manamunda P.S. Case No.138 of 2021, under Section 498-A and 306 of I.P.C. and is in custody since 21.10.2021.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned District & Sessions Judge, Boudh, by order dated 23.03.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the Post-mortem report which clearly states that the death is due to poisoning and there are no external injuries.

6. It is apt to state here that though the FIR was filed under Section 302 IPC, the final form has been submitted inter alia under Section 306 of IPC.

7 Taking into account the filing of charge sheet under section 306 of IPC and considering the Post-mortem report, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. Accordingly, the BLAPL stands disposed of.

9. Urgent certified copy of this order be granted as per rule.

Santoshi



(V. NARASINGH)
Judge