

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3257 of 2022

Shiba Khuntia

....

Petitioner

Mr. J. Sahoo, Advocate

-Versus -

State of Odisha

Opposite Party

....

*Mr. P. Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

22.09.2022

Order No.

4.

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 18.11.2021 in connection with Kabisuryanagar P.S. Case No. 477 of 2021 corresponding to G.R. Case No. 461 of 2021 pending in the Court of learned J.M.F.C., Kabisuryanagar for the alleged commission of offence under Sections 498-A/304(B)/34/506 of the IPC read with Section 4 of the D.P. Act.
4. The petitioner is the husband of the deceased who is said to have committed suicide. Though it is alleged that on the date of occurrence, the petitioner had assaulted the deceased yet the postmortem report does not reveal any external injuries on the body of the deceased. That apart, from the materials on record, prima

facie a case of instigation is difficult to be made out against the petitioner.

5. Considering the above fact, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial court on each date of posting of the case and in case of even a single default, NBW shall be issued by the court below to take him to custody again.

6. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge



BC Tudu