

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3308 of 2022

Gajendra Dalai and another ***Petitioners***

Mr. SK. Kalim Uddin, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.08.2022

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned counsel for the State.
3. The petitioners are accused in G.R Case No.89 of 2022, on the files of Additional Sessions Judge, Nimapara, arising out of Gop P.S. Case No.43 of 2022, under Sections 498-A/302/34 of IPC and Section 4 of the D.P. Act and is in custody since 10.02.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Nimapara, by order dated 07.04.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioners submits that though the FIR was registered inter alia under Section 302 of the IPC, on conclusion of investigation charge sheet has been filed on

09.06.2022 under Section 306 of IPC. Hence, it is submitted that further continuance of the petitioners in custody is not warranted.

6. Taking into account the nature of allegations and the role ascribed to the petitioners and keeping in view they are status of the in-laws and their age, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

7. Accordingly, the BLAPL stands disposed of.

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

Santoshi



(V. NARASINGH)
Judge