

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3412 of 2022

Amit @ Shibaram Mahanta

....

Petitioner

*Mr. Jashobanta Dash,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. P. Tripathy,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
22.09.2022**

**Order No.
3.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 18.07.2021 in connection with K. Balang P.S. Case No. 42 of 2021 corresponding to S.T. Case No. 05 of 2022 pending in the court of learned Addl. District and Sessions Judge, Bonai for the alleged commission of offence under Sections 498-A/323/306 of IPC.
4. The petitioner is the husband of the deceased who is said to have committed suicide. From the statement of the one of the eyewitness, namely, Ajit Mahanta who is the younger brother of the petitioner, it appears that the petitioner was not present at home at the time of occurrence. Though there are some materials to show that the petitioner and the deceased had a quarrel on the date of occurrence, yet having regard to the fact that the petitioner

was not present during the occurrence, it cannot be definitely said that he was responsible for the death of the deceased.

5. Considering the above fact and taking into account the period of detention in custody, 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 the petitioner shall personally appear before the trial court on each date of posting of the case without fail.

6. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge

