

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3535 of 2022

Rabi Das

....

Petitioner

Mr. Samvit Mohanty
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.P.Tripathy,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
23.9.2022.

Order No.

03.

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 2nd May, 2021 in connection with Airport P.S. Case No.134/2021 corresponding to C.T. Case No.86/2021 pending in the court of learned Addl. Sessions Judge, Bhubaneswar, Khurda for the alleged commission of the offence under Sections 498-A/306/34 of I.P.C. read with Section 4 of the D.P. Act.
4. It is alleged that the Petitioner is the husband of the deceased. There is evidence on record that the deceased was

subjected to cruelty by her husband and in-laws in connection with demand for dowry. Further, there is some evidence to the effect that on the night prior to the occurrence the deceased and her husband had a severe quarrel. Though it is clear that the Petitioner was not present at the spot yet, looking at the positive statements made by the witnesses during trial, the role played by the Petitioner in the alleged suicide committed by the deceased cannot entirely be ruled out.

5. Considering all the above facts, I am not inclined to allow the prayer for bail. However, taking into consideration the fact that the Petitioner has been in custody for more than a year, the BLAPL is disposed of with direction to the learned court below to release the Petitioner on interim bail for a period of two months from the date of his actual release on such terms and conditions as may be fixed by the court in seisin over the matter including the condition that he shall not misuse the liberty granted to him.

6. After expiry of the aforesaid period of two months, the Petitioner shall surrender before the court in seisin over the matter, failing which appropriate warrant may be issued for his production.

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

AKB

(Sashikanta Mishra)
Judge

