

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 3766 of 2022

Prafulla Nayak @ Agana ***Petitioner***

Mr. Surendra Kumar Biswal, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

02.08.2022

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 connection with Khantapada P.S. Case No.270 of 2021, corresponding to C.T. Case No.820 of 2021 on the file of learned 2nd Additional Sessions Judge, Balasore, for commission of offences under Sections 498-A/302/304-B of I.P.C. read with Section 4 of D.P. Act and is in custody since 25.09.2021.
 4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Balasore, by order dated 14.2.2022 in the aforementioned case, the present BLAPL has been filed.
 5. Though F.I.R. was filed under Sections 498-(A).302/304-B of I.P.C. read with Section 4 of D.P. Act, but charge-sheet has been filed under Section 498-A/304-B/306 and Section 4 of D.P. Act.

6. Taking into account the nature of allegations, filing of the charge-sheet and petitioner being in custody since 25.9.2021 and the factum of non-commencement of trial till date, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin of the matter, so as to ensure the presence of the petitioner on each date of trial.

7. Accordingly, the BLAPL stands disposed of.

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



U.K.Sahoo