

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3945 of 2022

Jasobanta Sahoo

.... ***Petitioner***
Mr. L. Bhuyan, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. S.R. Roul, ASC

**CORAM:
JUSTICE G. SATAPATHY**

ORDER
24.11.2022

Order No.

05. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. This is an application U/S. 439 of Cr.P.C. by the petitioner for grant of bail in connection with Harichandan P.S. Case No.203 of 2021 arising out of G.R. Case No.2278 of 2021 pending in the Court of learned S.D.J.M., Keonjhar for commission of offences punishable under Sections 498(A)/302/304(B)/34 of IPC read with Section 4 of D.P. Act, on the allegation of committing murder of his wife.
3. In the course of hearing of the bail application, Mr. L. Bhuyan, learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the FIR has been lodged against the petitioner on the basis of suspicion entertained by the informant, but the petitioner is an innocent person and co-accused standing on similar footing has already been granted bail. It is accordingly prayed by him to release the petitioner on bail.

4. On the contrary, Mr. S.R. Roul, learned Additional Standing Counsel for the State opposes the bail application of the petitioner by placing the post mortem report of the deceased that the deceased suffered a homicidal death and the petitioner being the husband is the principal accused in this case and, therefore, the petitioner should not be granted bail.

5. Considering the rival submissions made, nature and gravity of accusations raised against the petitioner as also the gravity of offence alleged and taking into consideration the post mortem report indicating the death of the deceased to be homicidal one and regard being had to the allegation against the petitioner for committing murder of his wife and taking into account the other circumstance, this Court, therefore, does not feel it proper to grant bail to the petitioner.

6. Hence, the prayer for bail of the petitioner stands rejected. Trial be expedited as requested by learned counsel for the petitioner.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

Subhasmita