

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4612 of 2022

Naran @ Narayan Sethi

.... ***Petitioner***
M/s. S.S.Dash, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
M/s.S.R.Roul, A.S.C.

CORAM:

JUSTICE G. SATAPATHY

ORDER

14.11.2022

Order No.

- 02.
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 Nayagarh P.S. Case No.167 of 2021 corresponding to G.R.Case No.482 of 2021 pending in the Court of learned S.D.J.M., Nayagarh for commission of offence punishable U/Ss. 498-A/304-B/302/34 of the I.P.C. read with Section 4 of D.P. Act.
 3. In the course of hearing of the bail application, Mr.S.S.Dash, learned counsel for the petitioner submits that due to some family dissension, the deceased had committed suicide but it was not within the knowledge and control of the petitioner, however, the informant has falsely implicated the petitioner in this case. It is further submitted that the petitioner is inside jail custody since 18.08.2021 and in the meantime parents-in-laws have already been granted bail and charge sheet has already been submitted and there is hardly any chance of tampering the evidence of prosecution witnesses. On the aforesaid submissions, learned counsel for the petitioner prays to grant bail to the petitioner.

4. On the contrary, Mr.S.R.Roul, learned counsel for the State, however, strongly opposes the bail application of the petitioner.

5. Considering the rival submissions made, nature and gravity of allegations levelled against the petitioner, the circumstance leading to death of the deceased as found from the post mortem report, the pre-trial detention of the petitioner since 18.08.2021 and regard being had to the nature and strength of allegations and the fact that charge sheet has already been submitted in this case but no material is placed on record that the petitioner would abscond or tamper with the evidence in the event of his release on bail and regard being had to the grant of bail to the co-accused persons, this Court admits the petitioner to bail.

6. Hence, the prayer for bail of the petitioner is allowed and the Petitioner be released on bail on furnishing bail bonds of Rs.50,000/- with two solvent sureties each for the like amount to the satisfaction of the learned trial Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall not leave the jurisdiction of the learned trial Court without prior permission till conclusion of the trial and the petitioner shall attend the trial Court on each date of posting of the case unless his attendance is dispensed with.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of the order be granted on proper application.

(G. Satapathy)
Judge