

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4708 of 2022

Bijaya Biswal

.... **Petitioner**
Mr. J. Sahoo, Advocate

- Versus -

State of Odisha

.... **Opposite Party**
Mr. S.K. Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

13.07.2022

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 08.05.2022 in connection with Khallikote P.S. Case No.74 of 2022 corresponding to G.R. Case No.154 of 2022 of the Court of learned J.M.F.C., Khallikote for the alleged commission of offence under Section 306 of IPC.
4. It is alleged that the deceased was given the task of keeping accounts of the monetary gifts received in the marriage ceremony of the petitioner's son. Since there was some shortfall in the amount received, the petitioner is said to have abused him in obscene language and also threatened to assault him, for which he committed suicide.
5. It is submitted that this cannot be treated as an act of instigation, inasmuch as the prosecution allegation even if accepted on its face value it simply suggests that there was an altercation relating to accounts and the deceased being a grown up man, aged about 26 years, cannot be expected to be so depressed

thereby so as to commit suicide. It is further submitted that charge sheet has already been submitted in the case.

6. Taking into consideration all the above facts as also 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 he shall personally appear before the trial Court on each date of posting of the case without fail.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

