

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4730 of 2022

***Kastu @ Himansu Gadnayak and
another*** ***Petitioners***

Mr.A.K.Sahoo, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. P.C.Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

30.08.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Learned counsel for the Petitioners does not want to press the application in respect of Petitioner No.2. Accordingly the BLAPL stands disposed of in respect of Petitioner No.2 with liberty to renew his prayer after commitment.
3. Heard learned counsel for the Petitioner No.1 as well as learned Additional Standing Counsel for the State.
3. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioner for bail in connection with Barkote P.S.Case No.185 of 2022 corresponding to C.T.Case No.512 of 2022 pending in the Court of the learned S.D.J.M., Deogarh for alleged commission of offence under Sections 498-A,304-B,302/34 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.
4. It is submitted by the learned counsel for the Petitioner No.1

that there was no direct allegation against the Petitioner No.1. Further no incriminating material is forthcoming to implicate the present Petitioner in the alleged crime. Further, it is submitted by the learned counsel for the Petitioner No.1 that the allegations made against the Petitioner No.1 is omnibus in nature and the Petitioner No.1 is languishing in custody since 22.04.2022.

6. On a conspectus of the materials placed before this Court and further considering the nature and gravity of the allegations made against Petitioner No.1, this Court is inclined to release the Petitioner No.1 on bail on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter subject to the conditions that the Petitioner shall not tamper with the prosecution evidence or try to influence the witnesses in any manner whatsoever, he shall not make any default in attending the court during trial on each date without fail and shall appear before the concerned P.S. once in a fortnight preferably on Sunday in between 10 A.M. to 1 P.M. till conclusion of trial. Violation of any of the conditions shall entail cancellation for bail.

7. It is open for the court in seisin over the matter to impose other conditions as may be deemed just and proper.

8. BLAPL is accordingly disposed of.

9. Issue urgent certified copy in course of the day.