

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4794 of 2022

Premananda Rae @ Premananda Ray **Petitioner**

Mr. S.Dwibedi, Advocate

- Versus -

State of Odisha **Opposite Party**

Mr. S.K.Mishra, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.7.2022

Order No.
2.

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 20.5.2022 in connection with Khaparakhhol P.S. Case No.207 of 2021 corresponding to G.R. Case No.1046 of 2021 pending in the Court of learned S.D.J.M., Patnagarh for the alleged commission of offence under Sections 498-A/302/34 of IPC.
4. The prosecution allegation is that the petitioner, who is brother-in-law of the deceased victim, committed her murder by strangulating her with a scarf (*odhani*) and thereafter attempted to project it as a case of suicidal hanging.
5. It is submitted by learned counsel for the petitioner that there are absolutely no materials to link the petitioner with

the occurrence and that the FIR story is also vague and based on hearsay.

6. Learned State Counsel has opposed the prayer for bail by submitting that some witnesses including a neighbor have stated about the deceased being subjected to cruelty by her in-laws and husband.

7. As it appears, the FIR was lodged by the brother of the deceased and though there are direct allegations against the petitioner, yet the source of such information has not been indicated. That apart, the statements of the witnesses appear to be somewhat omnibus in nature.

8. Having regard to all the above facts as also the fact that charge sheet has already been submitted in the case, 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 and in case of even a single default, necessary orders shall be passed by the Court to take them to custody again.

9. BLAPL is, accordingly, disposed of.

10. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge