

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6109 of 2022

Santosh Satpathy ***Petitioner***

Mr.T.K.Mishra, Advocate

-versus-

State of Odisha ***Opp. Party***

*Mr.Arupananda Das,
Addl. Government Advocate*

CORAM:

JUSTICE S.K. SAHOO
ORDER

29.06.2022

Order No.

02. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Raigarh P.S. Case No.91 of 2022 corresponding to G.R. Case No.126 of 2022 pending before the learned NGN-cum- J.M.F.C., Raigarh for commission of alleged offences under sections 506, 306/34 of the Indian Penal Code.

Learned counsel for the State on instruction submitted that there is no criminal antecedent against the petitioner. On verification of the case records, he

however, submitted that the deceased had taken a sum of Rs.35,000/- (rupees thirty five thousand) from the petitioner as he was serving under him and some amount was due against the deceased for which the petitioner alleged to have given threat to the deceased for making payment of the balance dues and that is how the deceased committed suicide by hanging himself.

Learned counsel for the petitioner submitted that in the factual scenario, the ingredients of the offence under section 306 of the Indian Penal Code are not attracted inasmuch as it cannot be said that there is proximate link between the conduct of the petitioner and the commission of suicide by the deceased.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, the background of the case and the surrounding circumstances under which the deceased committed suicide, I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further

conditions that he shall make himself available for interrogation by the I.O. as and when required and he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing any facts to the Courts or to the Investigating Officer. Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo

