

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5723 of 2022

Chhabiraj Mahanta

....

Petitioner

Mr. J. Dash, Advocate

-Versus -

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

11.07.2022

Order No.

1.

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 in connection with Lahunipada P.S. Case No.214 of 2021 corresponding to G.R. Case No.766 of 2021 pending in the Court of learned S.D.J.M., Bonai for the alleged commission of offence under Section 498-A/302/304-B of IPC read with Section 4 of D.P. Act.
4. It is alleged that the petitioner treated his wife with cruelty in connection with demand for dowry on several occasions prior to the occurrence. On the date of occurrence, he is said to have poured kerosene on the body of his wife and set her on fire.
5. It is submitted that the petitioner also sustained burn injuries to the extent of 60% which suggests that he was attempting to rescue the victim.
6. Be that as it may, fact remains that the victim lady died due to burn injuries and there are adequate materials to prima facie show

that the petitioner had set her ablaze.

7. Considering the nature of accusations and the availability of materials prima facie in support thereof, I am not inclined to allow the prayer for bail at this stage, which is therefore, rejected. It is however open to the petitioner to renew his prayer for bail after examination of the informant and some material witnesses in the case.

8. BLAPL is accordingly rejected.

(Sashikanta Mishra)
Judge

A.K. Rana

