

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5767 of 2022

Ashish Kumar Sahu

.... **Petitioner**

Mr. H.S. Mishra, Advocate

- Versus -

State of Odisha

.... **Opp.Party**

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

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

22.09.2022

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 27.12.2021 in connection with Tarava P.S. Case No.279 of 2021 corresponding to G.R. Case No.262 of 2021 pending in the Court of learned J.M.F.C., Tarva for the alleged commission of offence under Sections 498-A/302/304-B/201/34 of IPC.
4. The prosecution case is that the deceased was subjected to cruelty by her husband and her in-laws in connection with demand for dowry. Because of such repeated torture, she is said to have committed suicide. In so far as the petitioner is concerned, from the materials on record, prima facie, it is difficult to make out a case of instigation on the part of the petitioner so as to persuade the deceased to end her own life. Only because the dead body was cremated soon after the death of the deceased, the petitioner cannot be held responsible for the occurrence.

5. 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.

6. BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

