

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5830 of 2022

Pandaba Naik

....

Petitioner

Mr. A. Mishra, Advocate

-Versus -

State of Odisha

....

Opposite Party

*Mr. M. R. Mishra,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

15.09.2022

Order No.
02.

1. This matter is taken up through hybrid mode.
2. A prisoner's petition has been received seeking to engage some other counsel in place of the present counsel. However, there is no appearance from his said counsel, on the other hand, the original counsel is present and is ready to move the bail application.
3. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
4. The petitioner is in custody since 05.10.2020 in connection with Kaniha P.S. Case No. 197 of 2020 corresponding to G.R. Case No. 1465 of 2020 pending in the court of learned S.D.J.M., Talcher for the alleged commission of offence under Sections 498-A/306/304(B)/406 of IPC.
5. The petitioner is the husband of the victim who is said to have committed suicide. As per the materials on record there was some dissension between the husband and wife prior to the occurrence, which is because of the fact that the petitioner

was a drunkard. There is no mark of injury of the body of the deceased as per the postmortem report, which clearly shows that the petitioner died because of hanging.

6. Taking into consideration the above fact and 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.

7. The BLAPL is accordingly disposed of.

8. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

B.C. Tudu

