

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5895 OF 2022

Birendra @ Birabhadra Parida

..... Petitioner
Mr. S.P. Dash, Advocate

-versus-

State of Odisha

..... Opposite Parties
Mr. K.K. Gaya, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
20.07.2022

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with C.T. Case No. 299 of 2022 arising out of Balasore Sadar P.S. Case No. 99 of 2022, pending on the file of the learned J.M.F.C.(R), Balasore for the alleged commission of offence under Sections-498(A)/304(B)/302/34 of the I.P.C. read with Section-4 of the D.P.Act.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned 3rd Addl. Sessions Judge, Balasore by Order dtd. 21.06.2022 in B.A No. 355 of 2022, the present BLAPL has been filed.
4. Heard learned counsel for the petitioner and learned Counsel for the State.

5. Learned counsel for the petitioner submits that, taking into account the omnibus nature of allegation and the age of the petitioner, his further continuance in custody would be punitive.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the investigation is in progress.

7. On a conspectus material on record, considering the age of the petitioner (75), this Court directs the petitioner to be released on bail on such terms and conditions to be fixed by the learned Court in seisin over the matter, so as to ensure that the petitioner shall appear in person before the Trial Court on each date trial.

8. The Bail Application thus stands disposed of.

9. Urgent certified copy of this order be granted as per rule.

Balaram

*(V.Narasingh)
Judge*