

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5989 of 2022

**Amarendra Naik @ Barun Naik @
Papu**

....

Petitioner

Mr. P. Panigrahi, Adv.

- Versus -

State of Odisha

....

Opposite Party

Mr. P. Tripathy, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

14.10.2022

**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 02.06.2022 in connection with Sahidnagar P.S. Case No.242 of 2022 corresponding to C.T. Case No.3200 of 2022 pending in the Court of learned S.D.J.M., Bhubaneswar for the alleged commission of offence under Sections 306/34 of IPC.
4. It is alleged that the petitioner had coerced the victim to a love relationship and had also given her a mobile phone. Subsequently, he took back the mobile phone from the victim and also threatened to defame her.
5. Prosecution alleges that because of such threat, the victim committed suicide. Prima facie, the necessary ingredients to constitute the offence under Section 306 of IPC do not appear to be made out inasmuch as it cannot be said that the petitioner's conduct served as strong instigation for

the victim to commit suicide.

6. Considering the above facts 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. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana

