

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5074 OF 2021

***Siba Polai @ Shiba Polai @
Shiba Prasad Polai***

***..... Petitioner
Mr. Jyotirmaya Sahoo, Advocate***

-versus-

State of Odisha

***..... Opposite Party
Miss S. Mishra, ASC***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
12.04.2022**

**Order No.
03.**

1. This matter is taken up through Hybrid Mode.
2. The petitioner is accused in connection with G.R. Case No. 68 of 2021 corresponding to Hinjili P.S. Case No. 133 of 2021, pending on the file of the learned J.M.F.C., Sheragada for the alleged commission of offence under Sections-498(A)/304-B/306/34 of the IPC and read with Section-4 of the D.P.Act and is in custody since 31.03.2021.
3. Being aggrieved by the rejection of their application for bail U/s. 439 Cr.P.C. by the learned Additional Sessions Judge, Aska in BAIL Application No. 141 of 2021 by Order dtd. 04.05.2021, the present BLAPL has been filed.
4. Heard Mr. Jyotirmaya Sahoo, learned counsel for the petitioner and Miss S. Mishra, learned Additional Standing Counsel for the State.

5. Learned counsel for the petitioner submits that since charge sheet has been filed, inter alia under Section-306 of the I.P.C, further continuance of the petitioner in custody is not warranted in the case at hand and there is no chance of his intimidating, the witnesses and accordingly prays for bail.

6. Learned counsel for the State opposes the prayer for bail submits that the release of the petitioner at this stage will create hindrance in the fair trial.

7. Taking into account the allegations and that the charge-sheet has been filed under Section-306 of the I.P.C, this Court directs that, the petitioner shall be released on bail, on such terms to be fixed by the learned Court in seisin over the matter.

8. The Bail Application thus stands disposed of.

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

Balaram

(V.Narasingh)
Judge