

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6520 of 2022

Narayan Kumbhar

....

Petitioner

Mr. J. Sahu, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

17.10.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is an accused in connection with G.R. Case No.328 of 2022, pending in the Court of learned S.D.J.M., Padampur, arising out of Buden P.S. Case No.28 dated 04.04.2022, for commission of offences under Sections 498-A/302/304-B of IPC read with Section 4 of D.P. Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Padampur, by order dated 23.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 05.04.2022 and though the F.I.R. was filed inter alia under Section 302 of IPC and after investigation charge-sheet having been filed on 01.06.2022 under Section 306 of

IPC and other allied Sections, further continuance of the petitioner in custody is unwarranted. It is stated that the petitioner has two years female child.

6. Learned counsel for the State opposes the prayer for bail relying on the statement of independent witness Belar Bag and the sister and brother of the deceased that the deceased was subjected to inhuman torture for which she was driven to end her life and accordingly it is submitted that the petitioner is not entitled to be released on bail.

7. Considering the filing of charge-sheet and the welfare of the child of the petitioner, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. Accordingly, the BLAPL stands disposed of.

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

Ayesha

(V. NARASINGH)
Judge