

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5746 OF 2021

Subash Chandra Malik

..... ***Petitioner***
Mr. P.K. Nayak, Advocate

State of Odisha

-versus-

..... ***Opposite Party***
Mr. D. Mund, AGA

CORAM:
JUSTICE V. NARASINGH

ORDER
28.03.2022

Order No.
03.

1. This matter is taken up through Hybrid Mode.
2. The petitioner is an accused in connection with G.R. Case No. 31 of 2021 corresponding to Dhamnagar P.S. Case No. 21 of 2021, pending on the file of the learned J.M.F.C, Dhamnagar, for the alleged commission of offence under Sections-498(A)/323/307/34 of the I.P.C (turned to Section-498-A/302/34, IPC) and is in custody since 02.02.2021.
3. Being aggrieved by the rejection of his application for bail U/s. 439 Cr.P.C. by the learned Addl. Sessions Judge, Bhadrak by Order dtd. 08.06.2021 in B.A. No. 188 of 2021, the present BLAPL has been filed.

4. Heard Mr. P.K. Nayak, learned counsel for the petitioner and Mr. D. Mund, learned Additional Government Advocate for the State.

5. Learned counsel for the petitioner by way of memo files the copy of the Charge-sheet indicating inter alia that, though case was registered amongst others under Section-302 of the I.P.C., charge-sheet has been filed under Sections-498 (A)/306 of the I.P.C. read with Section-4 of the D.P. Act.

6. Taking into account, that the petitioner is in custody since 02.02.2021 and Charge-sheet has been filed inter alia under Section-306, I.P.C., this Court directs that the petitioner shall be released on bail in connection with G.R. Case No. 31 of 2021 corresponding to Dhamnagar P.S. Case No. 21 of 2021, pending on the file of the learned J.M.F.C, Dhamnagar, on such terms to be fixed by the learned Court in seisin of the matter.

7. The Bail Application thus stands disposed of.

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

Balaram

(V.Narasingh)
Judge