

IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 6874 OF 2022

Santosh Kumar Jagusahu

..... *Petitioner*
Mr. R.K.Pradhan, Adv.

-versus-

State of Odisha

..... *Opposite Party*
Mr. A.Pradhan, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
4.08.2022

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The Petitioner is an accused in connection with G.R. Case No.146 of 2022 arising out of Bandhugaon P.S. Case No. 46 of 2022 pending on the file of learned JMFC, Laxmipur, registered for the alleged commission of offence under Sections 498-A/306/304-B of the I.P.C.
4. Being aggrieved by the rejection of his application for bail U/s 439 Cr.P.C. by the learned Addl. Sessions Judge, Koraput by order dated 21.05.2022 in Bail Application No. 77 of 2022, the present BLAPL has been filed
5. Learned counsel for the petitioner submits that since Charge-sheet has already been filed inter alia under Section 306 of the I.P.C., further continuance of the petitioner in custody is not warranted.

6. The statement of the complainant Jyoti Kumari is on record. She has stated on the fateful day, the deceased committed suicide after leaving a suicidal note for the petitioner-husband.

7. Learned counsel for the petitioner relied on the statement of the independent witnesses Laki Kanjaka, Madhu Nimalpuri, Barika Hobika, Sahadeva Kanda, N.Chandra Rao and N.Venu Gopal Rao, which unequivocally indicate that at the time when unfortunate incident happened, there was no one present in the hoiuse.

8. On a conspectus of materials on record and taking into account the filing of the Charge-sheet inter alia under Section 306 of the I.P.C, and keeping in view the statements of the witnesses, 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.

9. Accordingly, the BLAPL stands disposed of.

10. Issue urgent certified copy of this order as per Rules.

(V.Narasingh)
Judge

Dhal