

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 6992 of 2022

Dillip Kumar Singh

....

Petitioner

Mr. K.C. Mohanty, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

24.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in connection with C.T. Case No.2558 of 2021 corresponding to S.T. Case No.103 of 2022, pending in the Court of the learned 2nd Additional Sessions Judge, Baripada, arising out of Baripada Sadar P.S. Case No.244 dt.06.12.2021, for alleged commission of offences under Sections 498(A)/304-B/306 of IPC read with Section 4 of D.P. Act.
4. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned 2nd Additional Sessions Judge, Baripada, by order dated 17.06.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel that the petitioner is in custody since 07.12.2021 and though initially the FIR was registered inter alia under Section 302 of IPC, after investigation

charge-sheet has been filed under Section 306 of IPC, further continuance of the petitioner in custody is unwarranted.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that since trial has commenced, the petitioner ought not to be released on bail at this stage.

7. Considering that the petitioner resides within the jurisdiction of the learned Court in seisin and that charge-sheet has been filed under Section 306 of IPC, this Court directs the petitioner to be released on bail. Learned Court in seisin over the matter to fix the terms so as to ensure the presence of the petitioner on each date of trial.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha

