

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.6271 of 2021

Jitendra Mallik @ Das

.... ***Petitioner***
Mr. K.K. Rout, *Advocate*

-versus-

State of Odisha

.... ***Opp. Party***
Mr. K.K. Nayak, *A.S.C.*

CORAM:

JUSTICE A.K. MOHAPATRA

Order No.

ORDER
12.01.2022

03.

1. This matter is taken up through Video Conferencing Mode.
2. Heard Mr. K.K. Rout, learned counsel for the Petitioner and Mr. K.K. Nayak, learned counsel for the State.

Perused the F.I.R., case diary, 161, Cr.P.C. statement and other relevant documents on record.

3. This is an application under Section 439 of the Criminal Procedure Code.
4. The Petitioner is an accused in C.T. No.894 of 2021 corresponding to Mangalpur P.S. Case No.226 of 2021 pending in the court of learned S.D.J.M., Jajpur for commission of offence punishable under Sections 498-A/294/323/326/307/506/34, I.P.C. subsequently converted to a case under Sections 498-A/302/120-B/34, I.P.C.
5. It is submitted by learned counsel for the Petitioner that the Petitioner is the husband of the deceased. Since the Petitioner married to another lady, there was quarrel between the two and the

victim committed suicide by pouring kerosene on herself and setting herself on fire. Further, it is submitted that the victim was shifted to hospital for treatment and while the treatment was going on in hospital, she succumbed to burn injuries on the next day.

6. It is further submitted by learned counsel for the Petitioner that the Petitioner is in custody since then and in the meantime, charge-sheet has already been submitted in the case.

7. Learned counsel for the State vehemently opposes the prayer for bail of the Petitioner and further submits that the Petitioner is main culprit in the case.

8. Considering the submissions and the materials available on record, I am not inclined to grant the benefit of bail to the Petitioner. Accordingly, the bail application stands rejected.

(A.K. Mohapatra)
Judge

Jagabandhu

