

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7361 of 2022

Bikram Sailya

....

Petitioner

Mr. U. Barik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
29.11.2022

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 C.T. Case No.447 of 2021, pending on the file of learned JMFC, Jaipatna, arising out of Jaipatna P.S. Case No.464 of 2021, for commission of alleged offences under Section 498-A/306 of IPC and is in custody since 27.04.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Dharamgarh, Dist-Kalahandi by order dated 20.07.2022 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 27.04.2022 and as charge sheet has already been

filed on 31.05.2022, further continuance of the petitioner in custody is not warranted.

6. It is submitted by the learned counsel for the petitioner that though the FIR was registered inter alia under Section 302 of IPC, after investigation the charge sheet has been filed under Section 306 of IPC and other allied Sections. Hence, he may be released on bail.

7. Learned counsel for the State opposes the prayer for bail. On the query of the Court, learned counsel for the State submits that the deceased had not suffered any external injuries but stated that there are materials on record to show that the victim was subjected to mental torture by persistent demand of dowry for which she was driven to commit suicide.

8. Considering the period of custody and submission of charge sheet inter alia under Section 306 of IPC, 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. Urgent certified copy of this order be granted as per the rules.

(V. NARASINGH)
Judge