

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7808 of 2022

Maheswar Behera

....

Petitioner

Mr. S.P. Dash, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

30.08.2022

Order No.

01.

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 G.R. Case No.336 of 2022 arising out of Balanga P.S. Case No.67 of 2022, pending in the Court of learned J.M.F.C., Nimapara, under Sections 498-A/304-B/306/406 of IPC read with Section 4 of the D.P. Act.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Nimapara, by order dated 09.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that though the petitioner, husband was forwarded under Section 498-A/302 of IPC and other allied offences, charge-sheet has been filed inter alia under Section 306 of IPC.
6. Hence it is prayed that further continuance of the petitioner in custody is uncalled for, since he is in custody from 05.04.2022.

7. Learned counsel for the State opposes the prayer for bail. Submitting that the allegation under Section 498-A and Section 4 of the D.P. Act are clearly made out against the petitioner.
8. Taking note of submission of charge-sheet under Section 306 of IPC and the period of custody and filing be charge-sheet, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.
9. Accordingly, the BLAPL stands disposed of.
10. Urgent certified copy of this order be granted as per rule.

Ayesha

