

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7969 of 2022

Bhaskar Barik

....

Petitioner

Mr. A. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

05.09.2022

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.142 of 2022 pending in the file of learned JMFC. Konark arising out of Gop P.S. Case No.78 of 2022, offence under Sections 498A/304B/306/34 of IPC read with Section 4 of the Dowry Prohibition Act, 1961.
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 29.07.2022 in the aforementioned case, the present BLAPL has been filed.
5. Learned counsel for the petitioner submits relying on the final form dated 27.06.2022 filed inter alia under Section 306 of the IPC and other allied Sections of the IPC that the allegation is omnibus in nature and keeping in view the role ascribed to the

petitioner his further continuance in custody in the face of filing of charge sheet is not warranted.

6. Learned counsel for the State opposes the prayer for bail.

7. Considering that FIR was initially registered inter alia under Section 302 of IPC and the charge sheet has been filed under Section 306 of IPC as noted and keeping in view the period of custody, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. Accordingly, the BLAPL stands disposed of.

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

Santoshi

