

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8012 of 2022

Bijay Maharana

....

Petitioner

Mr. B.K. Bal, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

08.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in G.R. Case No.269 of 2022, pending before the learned J.M.F.C., Salipur, arising out of Salipur P.S. Case No.108 of 2022, for commission of alleged offences under Sections 294/323/498-A/306/406/506/34 of IPC read with Section 4 of D.P. Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Salipur, by order dated 17.08.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by learned counsel that the petitioner is in custody since 03.04.2022 and since charge-sheet has been filed on 19.07.2022 inter alia under Section 306 of IPC, his further continuance in custody is not warranted.
5. Learned counsel for the petitioner relying on the post mortem report submits that the death is due to ante mortem

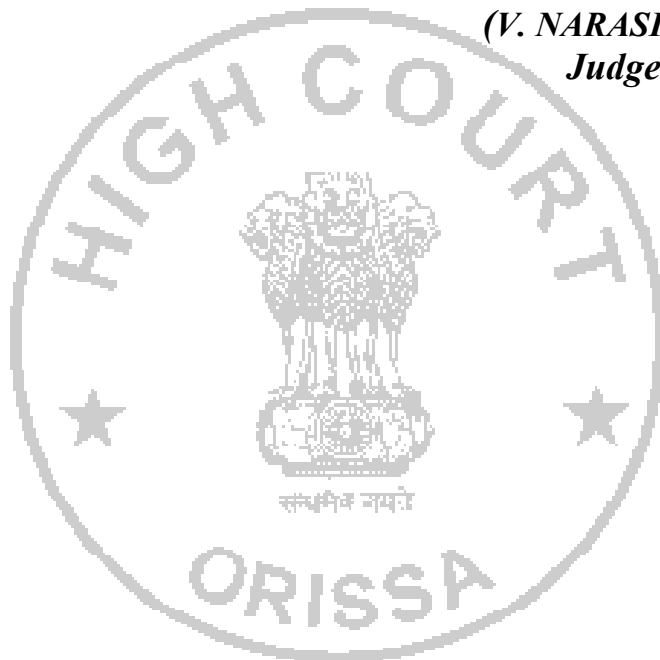
hanging, which is also not disputed by the learned counsel for the State relying on the recitals in the Case Diary.

6. Taking into account the period of custody and the post mortem report, 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.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge



Ayesha