

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8276 of 2022

Siba Das @ Shiba Das

....

Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

19.12.2022

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.198 of 2022 pending on the file of learned J.M.F.C., Kabisuryanagar, arising out of Kabisuryanagar P.S. Case No.201 of 2022 and is in custody since 03.06.2022.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Kodala by order dated 25.07.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted by the learned counsel that though FIR was filed under Sections 498-A/304-B/302/34 IPC and Section 4 of the D.P Act but charge sheet has been filed on 20.09.2022 under Sections 498-A/306/304-B/34 IPC and Section 4 of the D.P Act. Hence, his further continuance in custody is not warranted.

5. Learned counsel for the State opposes the prayer for bail.
6. Perused the statement of charge sheeted witness nos.8 and 10 Ranunarayan Jena and Khushi respectively. The said statements point out that the deceased consumed poison because of the way her mother-in-law castigated her for not able to fulfill the demand of dowry. It is on record that the present Petitioner had tried to break the peace between his mother (mother-in-law) and his wife and had also taken his wife to the hospital where unfortunately she succumbed to her injuries.
7. Taking into account the nature of allegation and filing of the charge sheet, inter alia, under Section 306 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.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

PKS