

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7386 of 2021

Buda @ Buti Suna

....

Petitioner

Mr. B. Das, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, ASC

**CORAM:
JUSTICE S.K. PANIGRAHI**

**ORDER
11.01.2022**

Order No.

04.

1. The matter is taken up through video conferencing mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. This is an application under Section 439 of the Cr.P.C. for grant of bail.
4. The petitioner is an accused in G.R. Case No.394 of 2019, arising out of Ambadola P.S. Case No.120 of 2019, of the court of learned JMFC, Bissam Cuttack for the alleged commission of offence under Sections 498-A, 306, 494/34 of the IPC.
5. The facts of the case allege that the informant approached the Crime Branch on 17.12.2019 alleging that his daughter-

Hemalata Rout had love married with the petitioner, who has his first wife earlier namely Dhanamati Suna and two children. Subsequently, it came to knowledge of the Hemalata Rout. It is further alleged that the 1st wife of the petitioner namely Dhanamati Suna used to scold and subject the deceased (Hemalata Rout) to torture. As a result, Buda Suna and Hemalata Rout shifted to a rented house and started staying there. Thereafter, the informant's daughter and son-in law went to their own village Puranpani. On 20.03.2018, the informant came to know through police that his daughter committed suicide and found some injury marks on the leg and nose of the deceased.

6. Learned counsel for the petitioner submits that the petitioner has no role behind commission of suicide by his wife. There is no material against the petitioner in the commission of crime. He further submits that the allegation is omnibus in nature. Therefore, he deserves to be enlarged on bail.

7. Learned counsel for the State vehemently opposed the bail prayer of the petitioner on the ground that the petitioner has committed a heinous crime. He further submits that earlier the bail application of the present petitioner has been rejected by this Court on 08.04.2021 in BLAPL No.6977 of 2020.

8. Considering the aforesaid submissions, gravity of the offence and the facts of the case, I am not inclined to release the petitioner on bail. Accordingly, the BLAPL is rejected.

9. The Petitioner is at liberty to approach for fresh bail after the charges are framed.

10. As the restrictions due to resurgence of Covid-19 are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the Advocate concerned with his/her seal, in the manner prescribed vide Court's Office Order dated 7th January, 2022.



pcd