

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.7575 of 2021

Deepak Kumar Mandal

.... ***Petitioner***
Mr.S.K.Mohanty, *Advocate*

-versus-

State of Odisha

.... ***Opposite Party***
Mr.M.K.Mohnty,A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.02.2022

Order No.

2. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioner for bail in connection with Balichandrapur P.S.Case No.173 of 2014, corresponding to G.R. Case No.917-A of 2014, pending in the Court of the learned J.M.F.C., Chandikhol for alleged commission of offences under Sections 498-A,304-B,302/34 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.
3. Learned counsel for the Petitioner submits that the petitioner is the brother-in-law of the victim and the husband and other in-laws of the victim were acquitted from this case since 28.11.2015 and the case against the present petitioner has been split up.
4. Learned Additional Standing Counsel vehemently opposes the prayer for bail of the Petitioner on the ground that the petitioner has been absconded and he should not be dealt with leniently.

5 Upon consideration of the submissions made by the respective parties as well as on perusal of the records and on consideration of the peculiar facts and circumstances of the case and considering the fact that the petitioner is the brother-in-law of the victim and the husband and other in-laws have been acquitted from the case, I am inclined to release the Petitioner on bail in the above case, on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with one local solvent surety for the like amount to the satisfaction of the learned court in seisin over the matter subject to condition that the Petitioner shall appear before the concerned Police Station once in a fortnight preferably on Sunday between 10 A.M. to 1 P.M. till disposal of the case and shall appear before the trial court on each date of posting of the case for trial. Further, it is open to the court in seisin over the matter to impose any additional condition (s), if situation so warrants.

6. The BLAPL is accordingly disposed of.

7. Issue urgent certified copy of this order as per Rules.

RKS

(A.K. Mohapatra)
Judge