

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9110 of 2022

Bikash Prusty

....

Petitioner

Mr. A.R. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

16.11.2022

Order No.

04.

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 C.T. Case No.1137 of 2022, pending in the file of learned S.D.J.M., Jajpur, arising out of Mangalpur P.S Case No.300 of 2022 for commission of alleged offences under Sections 498(A)/304(B)/306/406 of IPC read with Section 4 of D.P. Act and is in custody since 11.05.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned District & Sessions Judge, Jajpur by order dated 14.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 11.05.2022 and as charge sheet has already been filed on 25.08.2022 inter alia under Section 306 of IPC though the FIR was lodged under Section 302 of IPC, further continuance of the petitioner in custody is not warranted.

6. This Court perused the statement of one witness Shyam Sundar Patra, co-villager and taking into account the statement of the co-villager, 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 the rules.

(V. NARASINGH)
Judge

Santoshi

