

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8171 of 2021

Jhatua @ Sandwesh Kuamr Sethi ***Petitioner***

Mr. Samvit Mohanty,
Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. S.K.Mishra
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
03.8.2022.

Order No.

05.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 27th August, 2021 in connection with Pattamundai P.S. Case No.477/2020 corresponding to G.R. Case No.477/2020 pending in the court of learned J.M.F.C., Pattamundai, Kendrapara for the alleged commission of the offence under Sections 498-A/304-B/302/34 of I.P.C. read with section 4 of the Dowry Prohibition Act.

4. The Petitioner was not named in the F.I.R., but has been implicated on the allegation that he had an illicit relationship with the mother-in-law of the deceased to which the deceased objected. For the above reason, the deceased is said to have been killed by her in-laws. There are no eye witness to the occurrence. The post mortem report reveals that the cause of death is due to asphyxia due to ante mortem hanging. The mother-in-law namely, Pramila Sethy has been released on bail as per the order passed by this Court in BLAPL No.3146/2021. There is no acceptable evidence showing the complicity of the Petitioner in the alleged occurrence.

5. Considering the above facts and the period of detention in custody, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall personally appear before the court below on each date of posting of the case without fail.

6. The BLAPL is disposed of.

7. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

