

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9551 of 2022

***Kalia @ Kalandi @
Bhubanananda Behera***

....

Petitioner

Mr. S. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

**ORDER
28.11.2022**

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is an accused in connection with G.R. Case No.409 of 2022, pending in the file of the learned J.M.F.C., Salipur, arising out of Mahanga P.S. Case No.116 of 2022, for alleged commission of offences under Sections 498-A/304-B/406/34 of IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Salipur, by order dated 21.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel that the petitioner is in custody since 22.05.2022 and final report has been submitted on 16.08.2022 inter alia on the ground under Sections 498-A/304-

B/406/34 of IPC and the petitioner is the brother-in-law of the deceased.

6. Learned counsel for the petitioner relying on the supervision note and other materials on record, submits that at the relevant time, the petitioner was not present in the house and he has only been arrayed as an accused because of the relationship.

7. Learned counsel for the State on the basis of Case Diary submits that there are materials to indicate that the deceased was subjected to mental torture by the present petitioner along with others for which, she ended her life.

8. Considering the nature of allegations vis-à-vis the petitioner and filing of charge-sheet, 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.

9. Copy of the final form as submitted by the learned counsel for the petitioner, is taken on record.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha