

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9692 of 2022

Suryakanta Ghadei

....

Petitioner

Mr. A.N. Samantaray Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

23.12.2022

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State
2. The petitioner is an accused in G.R. Case No.506 of 2022, pending in the Court of the learned J.M.F.C.(P) Kujanga, arising out of Paradip P.S. Case No.165 of 2022, for commission of alleged offences under Sections 498A/323/304B/306/34 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Kujang by order dated 28.09.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that the petitioner is in custody since 27.05.2022 and charge sheet has already been filed on 25.08.2022.
5. It is further submitted that since charge sheet has been filed, inter alia, under Section 306 of IPC, further continuance of the petitioner in custody is not warranted.

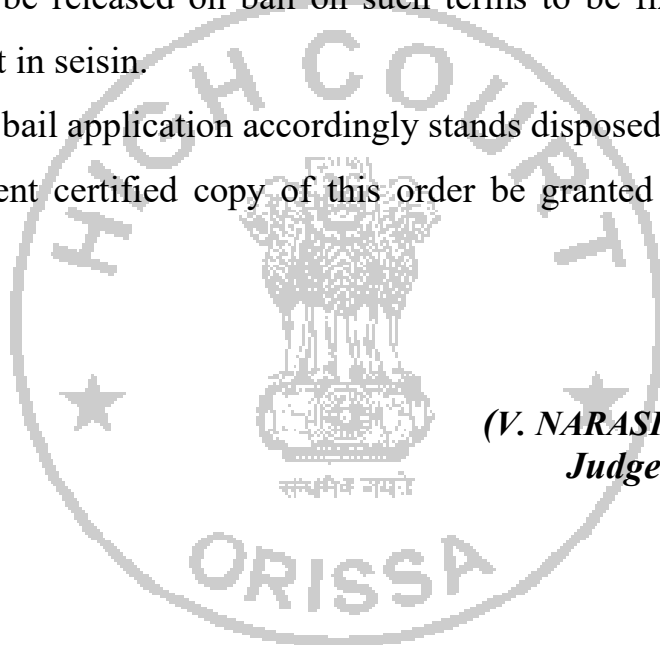
6. Learned counsel for the State opposes the prayer for bail on the ground that there are materials to show that the victim was subjected to torture on account of demand of dowry and filing of charge sheet only further strengthens the case of the prosecution regarding the complicity of the petitioner. It is also submits that since the petitioner is the husband merely because charge sheet has been filed, he ought not to be released on bail.

7. Considering the materials on record and filing of charge sheet, inter alia, under Section 306 of IPC, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

8. The bail application accordingly stands disposed of.

9. Urgent certified copy of this order be granted as per the rules.

Santoshi



(V. NARASINGH)
Judge