

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9715 of 2022

Biswajit Bhukta @ Bhakta

Petitioner

Ms. S. Devi, Advocate

-versus-

State of Odisha

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
26.10.2022

Order No.

01.

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 connection with C.T. Case No.382 of 2022, pending on the file of the learned S.D.J.M., Athagarh, arising out of Khuntuni P.S. No.147 of 2022, for alleged commission of offences under Sections 498-A/304-B/306/34 of IPC read with Section 4 of the D.P. Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Athagarh, by order dated 28.09.2022 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 15.07.2022 and since charge-sheet

has already been filed on 14.09.2022 inter alia under Section 306 of IPC, further continuance of the petitioner in custody is unwarranted.

6. Such prayer for bail is opposed by the learned counsel for the State inter alia on the ground relying on the statement of one Sashi Bhusan Jena, a co-villager which indicates that there was a quarrel between the petitioner and his wife day before the unfortunate incident happened and it is also borne out from the said record that the petitioner was continuously harassing the victim driving her to commit suicide.

7. Taking into account the age of the petitioner and charge-sheet filed under Section 306 of IPC, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha