

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9941 of 2022

Tahur Ali Khan & Another ***Petitioners***

Mr. B. Nayak, Advocate

-versus-

State of Odisha ***Opposite Party***

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
16.12.2022

Order No.

04.

1. Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners are accused in connection with G.R. Case No.409 of 2022, pending in the Court of the learned J.M.F.C., Chilika, arising out of Balugaon P.S. Case No.183 of 2022, for alleged commission of offences under Sections 498(A)/306/34 of IPC.

3. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Banpur, by order dated 27.09.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted by the learned counsel that the petitioners are in custody since 18.09.2022 and as charge-sheet has been filed on 15.11.2022 inter alia under Section 306 of IPC, further continuance of the petitioners in custody is unwarranted.

5. Learned counsel for the State opposes the prayer for bail relying on the statement of the wife of the deceased Saira Begum.
6. Considering the statement of Saira Begum and the materials on record, this Court directs the petitioners to be released on bail on such terms to be fixed by the learned Court in seisin.
7. Accordingly, the BLAPL stands disposed of.
8. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Ayesha

