

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10271 of 2022

Sudam @ Arjun Rana

....

Petitioner

Mr. S. Padhee, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

21.12.2022

Order No.

03.

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

2. The petitioner is an accused in connection with G.R. Case No.92 of 2022, pending in the Court of the learned J.M.F.C., Binika, arising out of Binika P.S. Case No.98 of 2022, for alleged commission of offences under Sections 498A/306/34 of IPC.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Sonepur, by order dated 12.09.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted by the learned counsel that the petitioner is in custody since 12.04.2022.

5. It is stated that initially FIR was filed under Sections 498A/302/34 of IPC and after investigation charge-sheet has been filed on 11.06.2022 inter alia under Sections 498A/306/34 of IPC and taking into account the post mortem report, which indicates that

the death was due to ante-mortem hanging, the petitioner may be released on bail.

6. Learned counsel for the State opposes the prayer for bail relying on the statement of the informant as well as the villagers on the ground that there are materials on record to show that the petitioner was subjected to harassment on account of demand of dowry, for which she had to take this extreme step.

7. Considering the nature of allegations, conclusion of investigation 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. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha

