

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10482 of 2022

Lochan Barik

....

Petitioner

Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
13.12.2022

Order No.

02.

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.1597 of 2022, pending before the Court of the learned SDJM, Keonjhar, arising out of Kanjipani P.S. Case No.95 of 2022, for alleged commission of offences under Sections 498-A/306 of the IPC.

3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Keonjhar, by order dated 11.10.2022 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 24.08.2022 and since charge-sheet has been filed on 31.10.2022 inter alia under Section 306 of IPC, further continuance of the petitioner in custody is unwarranted.

5. Learned counsel for the petitioner relies on the statement of Udaya Ghana the brother of the deceased, which states that on the fateful day, the petitioner had given a slap to the deceased and thereafter left his house and being overcome by grief, the deceased committed suicide.

6. Learned counsel for the State submits that the manner in which the deceased was treated, she was driven to commit suicide. Hence, no leniency ought to be shown to the petitioner.

7. Considering that the petitioner is in custody since 24.08.2022 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.

8. Accordingly, the BLAPL stands disposed of.

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

Ayesha

