

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9492 of 2021

Pathani @ Manoj Sahoo

....

Petitioner

Mr. Arun Kumar Das(1), Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K.Nayak, A.S.C. for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

15.02.2022

Order No.

03. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the F.I.R. and other relevant documents on record.
3. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Gondia P.S. Case No.207 of 2021, corresponding to G.R. Case No.359 of 2021, pending in the file of learned J.M.F.C., Gondia, for commission of alleged offences under Sections 498-A/294/323/325/302/304-B/506/34 I.P.C. and Section 4 of D.P. Act.
4. Learned counsel for the Petitioner submits that Petitioner is the husband of the deceased and he has good relationship with his wife and never tried to torture physically or mentally for dowry purpose. A false case has been foisted against the Petitioner due to suicidal hanging of his wife. It is submitted that Petitioner is in jail

custody since the date of his arrest, i.e. 14.08.2021. He further submits that in the meantime, charge-sheet has been filed for commission of alleged offences under Sections 498-A/306 I.P.C.

5. Learned counsel for the State vehemently objects the prayer for bail of the Petitioner. He, however, submits that if the Petitioner is released on bail, stringent conditions may be imposed on the accused Petitioner.

6. Having heard learned counsel for the parties, considering the materials available on record as well as the role of the Petitioner and the nature and gravity of offences alleged, this Court is inclined to release the Petitioner on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) with one solvent surety for the like amount to the satisfaction of the learned court in seisin of the matter subject to conditions that the Petitioner shall not tamper with the prosecution evidence or show any threat or influence the witnesses in any manner whatsoever and cooperate in the trial of the case. It is further directed that the court in seisin of the matter impose any additional condition(s), if situation so warrants. Deviation of any of the above conditions shall entail cancellation of the bail.

7. With the above direction, the BLAPL is accordingly allowed.

8. Issue urgent certified copy on proper application.

(A.K. Mohapatra)
Judge