

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14285 of 2022

Debashree Prakash Kumar Biswal* *Petitioner
Mr. Nirod Kumar Sahu, Advocate

-versus-

State of Odisha* *Opp. Party
Mr. S. Patra, ASC.

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
20.12.2022**

04. 1. Heard learned counsel for the Petitioner and the State.
2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences under Sections 354(A)/385/306/294/506/34 of IPC read with Section 67 of IT Act.
3. Learned counsel for the Petitioner submits that the present Petitioner is no way connected with the alleged incident and the death of the deceased having caused due to suicidal act nothing can be attributed to the Petitioner and as such he may be considered for pre-arrest bail.
4. Learned counsel for the State submitted that the alleged incident is not only heinous but also grave and the allegation points to the Petitioner and as such the prayer for pre-arrest bail of the Petitioner should not be taken leniently. He further submits that the autopsy report reveals that the cause of the death is histotoxic asphyxia

arising Organophosphorus poisonous causing paralysis of respiratory muscles due to NLS involvement.

5. Keeping in view the submissions of the parties and perusal of the FIR, there is material to show that the present Petitioner was consistently after the deceased subjecting her to harassment and blackmailing her on the plea of displaying her naked photographs besides demanding ransom from husband. This appears the sole cause of the deceased losing her mental balance that pushed her to commit suicide. The act alleged being directly attributable to the present Petitioner and suggests a close proximity that the cause of the death of the deceased could be due to the overt act shown by the Petitioner, this Court is not inclined to admit the prayer for pre-arrest bail of the Petitioner. Accordingly the prayer for bail stands rejected and the ABLAPL is dismissed.

(Chittaranjan Dash)
Judge

B.K Sahoo/AKPradhan