

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9970 of 2021

Pradipta Kar @ Babuli

...

Petitioner

Mr. M.K. Mallick, Advocate

- Versus -

State of Odisha

...

Opposite Party

Mr. P.K. Maharaj,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

10.02.2022

Order No.

3.

1. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.

2. The petitioner is in custody since 30.07.2021 in connection with Pattamundai P.S. Case No.455 of 2021 corresponding to G.R. Case No.455 of 2021 pending in the Court of learned J.M.F.C., Pattamundai for the alleged commission of offence under Sections 498-A/306/406 of IPC.

3. The allegation against the petitioner is that he used to torture his wife after consuming alcohol since the date of their marriage, which in all likelihood led the deceased to commit suicide.

4. Learned counsel for the petitioner submits that the allegations are on the face of it untenable inasmuch as the marriage between the petitioner and the deceased had been solemnized eighteen years ago and therefore, the petitioner cannot be blamed for the suicide committed by the deceased.

5. Learned Addl. Standing Counsel on the other hand has opposed the prayer for bail by submitting that the deceased was led to commit suicide because of continued torture inflicted by her

husband and therefore, is liable for her death.

6. Considering the rival submissions, materials on record, period of detention already undergone and the fact that charge sheet had already been submitted in the case, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail.

7. BLAPL is accordingly disposed of.

8. Issue urgent certified copy as per rules.

A.K. Rana



(Sashikanta Mishra)
Judge