

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11046 of 2022

Biswaranjan Saraf

....

Petitioner

Mr. H.K. Mund, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. Mishra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

08.12.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in C.T. Case No.168 of 2022, pending in the file of learned J.M.F.C. Koksara, arising out of Koksara P.S. Case No.148 of 2022, for commission of alleged offences under Sections 498-A/313/307/506/323/34 of IPC read with Section 4 of the D.P. Act.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Dharamgarh by order dated 20.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. Perused the order of rejection.
5. It is submitted that the petitioner is in custody since 17.09.2022.

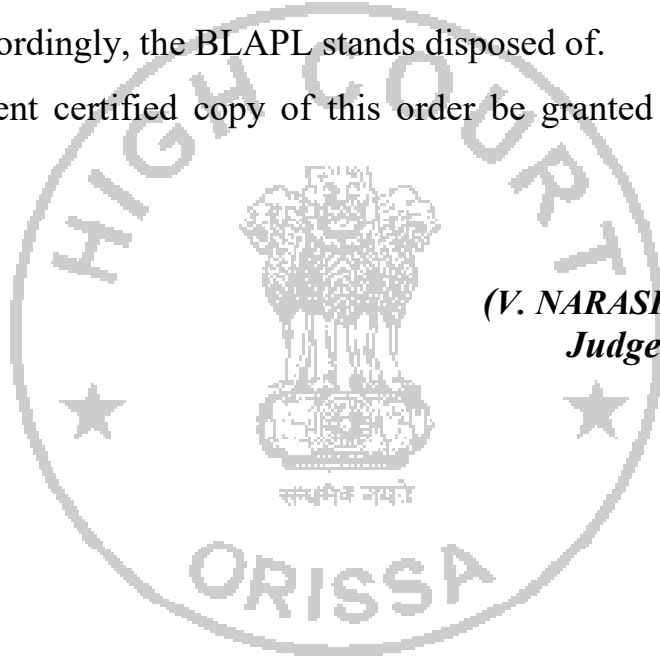
6. Learned counsel for the petitioner submits that though initially the FIR was lodged inter alia under Section 307 of IPC and other allied Sections, after investigation the final form has been submitted on 30.09.2022 which is on record. Drawing attention of this Court, it is submitted that in the said final form, there is no accusation inter alia under Section 307 of IPC.

7. Considering the nature of the dispute and the period of custody, 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 the rules.

(V. NARASINGH)
Judge



Santoshi