

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11260 of 2022

Bijay Kumar Samantaray Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha Opp. Party

*Mr. Arupananda Das
Addl. Government Advocate*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
19.12.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 439 of Cr.P.C. for grant of bail to the petitioner in connection with Khurda Sadar P.S. Case No.41 of 2022 corresponding to G.R. Case No.385(A) of 2022 pending before the learned S.D.J.M., Khurda for alleged commission of offences under sections 498-A/304-B/306/34 of the Indian Penal Code read with section 4 of the D.P. Act.

The petitioner moved an application for bail before the Court of 1st Additional Sessions Judge, Khurda, which

was rejected on 02.11.2022.

Learned counsel for the petitioner submitted that the petitioner is the brother-in-law (husband's sister's husband) of the deceased Pusalata Routray @ Pusalata Parida and he is in judicial custody since 02.11.2022 and he has been charge sheeted under sections 498-A/304-B/306/34 of the Indian Penal Code read with section 4 of the D.P. Act. He further submitted that the marriage of the deceased with one Pravakar Parida was solemnized on 02.02.2021 and she committed suicide on 15.03.2022 and as per the post mortem report, it is a case of suicidal hanging and no external injury on the person of the deceased. He further submitted that the allegations are omnibus in nature and therefore, the bail application of the petitioner may be favourably considered.

Learned counsel for the State, on the other hand, produced the case diary and placed the statements of Basudev Pradhan and Swapneswar Routray, the brother of the deceased.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation alleged against the petitioner, the surrounding circumstances under which the death took place, the post mortem report findings and taking into account the period of detention of the petitioner in judicial custody, I am inclined to release the petitioner on bail.

Let the petitioner be released on bail in the

aforesaid case on furnishing bail bond of Rs.50,000/- (rupees twenty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with such other conditions as the learned Court may deem just and proper.

BLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

RKM

