

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10294 of 2021

Shibasankar Sur

....

Petitioner

Mr.Rama Chandra Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr.S.S.Mohapatra, ASC

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

20.1.2022

Order No.

1. This matter is taken up by video conferencing mode.
2. Heard Mr.Jena, learned counsel for the Petitioner and Mr.Mohapatra, learned Additional Standing Counsel for the State.
3. This is an application under Section 439 Cr.P.C. for grant of bail to the Petitioner in connection with C.T.Case No.519 of 2021 arising out of Basta P.S.Case No.230 of 2021 pending in the court of the learned J.M.F.C., Basta for alleged commission of offence under Sections 498-A/323/24/304-B/302/34 of the I.P.C. and Section 4 of the D.P.Act.
4. It is submitted that Petitioner is the cousin brother of the deceased and he was neither staying in the same house nor was named in the F.I.R., but has been arrested and taken to custody since 27.10.2021. It is further submitted that as per the findings given in the postmortem report, the deceased committed suicide

and no specific allegation is there against the present Petitioner with regard to the demand of dowry.

5. Upon hearing Mr.Mohapatra, learned Additional Standing Counsel for the State and considering the statement of the witnesses as well as the nature of materials surfaced against the Petitioner, it is directed that the Petitioner be released on bail in the aforesaid case on such terms and conditions to be fixed by the learned court below in seisin over the matter.

6. The BLAPL is disposed of.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April,2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January,2022.

(B.P. Routray)
Judge