

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10359 of 2021

Papu @ Tutu Mallik

.... ***Petitioner***
M/s. P.C.Jena, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
M/s.S.N.Das, A.S.C.

CORAM:

JUSTICE G. SATAPATHY

ORDER

08.09.2022

Order No.

- 07.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. This is an application U/S. 439 of Cr.P.C. by the Petitioner for grant of bail in connection with Paradeep Lock P.S. Case No.179 of 2021 corresponding to G.R. Case No.703 of 2021 pending in the Court of learned J.M.F.C.(P), Kujang for commission of offence punishable U/Ss. 498-A/306 of I.P.C. read with Section 4 of D.P. Act.
 3. In the course of hearing of the bail application, learned counsel for the petitioner submits that the allegation brought against the petitioner does not disclose commission of any offence U/Ss. 498-A/306 of I.P.C. rather it is a case of suicide of the deceased who is the wife of the petitioner, for reason beyond the knowledge and control of the petitioner and the petitioner having detained in custody since 02.07.2021 may kindly be released on bail.
 4. On contrary, learned counsel for the State, while opposing the bail application of the petitioner by placing the statement of the father of the deceased submits that there is ample material against the petitioner for commission of offence U/S. 306 of I.P.C and the petitioner having tortured the deceased which led her to commit suicide, should not be enlarged on bail.
 5. Considering the nature and gravity of allegations brought against

the petitioner and keeping in view the submissions advanced on behalf of the parties and taking into consideration the pre-trial detention of the petitioner since 02.07.2021 and charge sheet having already submitted in this case and cognizance being taken there upon by the learned J.M.F.C, Kujang and there being no material placed on record to indicate that the petitioner will tamper the evidence or abscond, this Court feels it proper to enlarge the petitioner on bail.

6. Hence, the prayer for bail of the petitioner is allowed and the Petitioner be released on bail on furnishing bail bond of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the learned trial Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall not leave the jurisdiction of the learned trial Court without prior permission till conclusion of trial in the case and the petitioner shall attend the trial Court on each date of posting of the case unless his attendance is dispensed with by the learned trial Court.

7. Accordingly, the BLAPL stands disposed of.

8. Urgent certified copy of the order be granted on proper application.

(*G. Satapathy*)
Judge