

IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL NO.15475 OF 2021

Krushna Chandra Sahu

....

Petitioner

Mr. J. Samantaray, Advocate

-versus-

State of Odisha

....

Opposite Party

Ms. Samapika Mishra, ASC.

CORAM:

MR. JUSTICE D.DASH

ORDER

22.09.2022

Order No.

02.

1. This matter is taken up through hybrid arrangement (physical/ virtual) mode.

2. Learned Counsel for the Petitioner submits that this Petitioner being the brother-in-law of the deceased has been arraigned in the case with the general allegation that he was joining the husband of the deceased in demanding dowry and torturing her for non-fulfillment of the demand. He further submits that the allegation with regard to demand of dowry and torture by this Petitioner are all false and omnibus and only to see that the Petitioner is brought into picture in the case as there had arisen some suspicion in their as to how the deceased died. He further submits that doctor conducting postmortem report has not noticed any external injury on the body of the deceased so also in the buccal cavity suggesting any physical torture or forcibly administration of poison. He further submits that now the doctor here having not been able to ascertain the cause of death has sent the viscera for chemical examination. In view of all these above, when the Petitioner having remained under interim bail since 23.12.2021 have all along cooperated with the investigation, he urges that his likely arrest and detention would serve no useful purpose.

3. Learned Counsel for the State opposes the move. She however submits that charge-sheet in the case has also been submitted placing accused person to trial also for offence under Section-306 of the IPC.

4. Considering the submissions and on going through the materials as placed as well as nature of accusations; further keeping in view the surrounding circumstances and in the absence of any such other impediment; it is directed that in the event of arrest of the Petitioner in connection with Buguda P.S. Case No.303 of 2021 corresponding to GR Case No.298 of 2021 pending on the file of learned J.M.F.C., Buguda; he shall be released on bail by the Arresting Officer on such terms and conditions as the Arresting Officer may deem just and proper. The Petitioner is hereby directed to appear before the Investigating Officer on 11th October, 2022 in between 10 am to 2 pm and on such other date/s as asked for in order to cooperate with the investigation.

4. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan