

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 15275 of 2022

Dr. Bhisma Prasad Rath

....

Petitioner

Mr. Kaustuva Mohanty, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Shashanka Patra, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

ORDER

16.12.2022

Order No.

01. 1. Heard the learned counsels for the Petitioner and the State.
2. This is an application for bail U/s. 438 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences U/s. 306/34 of IPC.
3. Learned counsel for the Petitioner submits that the Petitioner is the CEO of Hi-tech Medical College and Hospital, Bhubaneswar and he has absolutely no nexus with the cause of the death of the son of the Informant. He further submitted that the student had defaulted in payment of tuition fees and a notice was issued to that effect for clearance of the dues amounting to ₹6,36,500.00 by the Administrative Officer of the Hi-tech Medical College and Hospital vide Letter bearing No. 915/PRI/18. The present Petitioner is a doctor aged about 58 years. Apparently, there appears no tangible material to implicate the present Petitioner in his capacity as CEO

in the alleged death of the son of the Informant, more so, when the student has committed suicide in his own house.

4. Keeping in view the nature of death, facts and circumstances, allegations as reveal from the materials on record and the seriousness and gravity of the offences, it is directed that in the event the Petitioner surrenders in connection with Mancheswar P.S. Case No.205 of 2018 corresponding to C.T. Case No.1745 of 2018 pending in the court of learned S.D.J.M. Bhubaneswar within a period of three weeks hence and moves for bail, he shall be admitted to go on bail on such terms and conditions as would be deemed just and proper by the said court with the following further conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) He shall appear in person before the learned court below on each date of posting of the case, without fail; and
- (iii) He shall not tamper with the prosecution evidence in any manner whatsoever;

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge