

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11996 of 2022

Jiban Sahu

.... ***Petitioner***
Mr. S.R. Mulia, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. S.R. Roul, A.S.C.

CORAM:
JUSTICE G. SATAPATHY

ORDER
20.12.2022

Order No.

01. 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 Bantala P.S. Case No.262 of 2022 corresponding to G.R. Case No. 1024 of 2022 pending in the file of learned S.D.J.M., Angul for commission of offences punishable U/Ss. 498-A/304(B)/306/406/34 IPC r/w Section- 4 of D.P.Act, on the allegation of committing dowry death and abetting suicide of the deceased by subjecting her to torture and cruelty prior to her death and misappropriation of the dowry articles, along with other co-accused persons in furtherance of their common intention.
3. In the course of hearing of the bail application, Mr. S.R. Mulia, learned counsel for the Petitioner submits that the Petitioner is the father-in-law of the deceased and he has no complicity in this case, but the Petitioner is languishing inside jail custody since 14.07.2022 and in the meanwhile charge-sheet has already been submitted in this case. Learned counsel for the Petitioner under aforesaid submissions prays to grant bail to the Petitioner.
4. On the other hand, Mr. S.R. Roul, learned A.S.C. prays to reject the bail application of the Petitioner.

5. Considering the rival submissions made, taking into consideration the nature and gravity of accusations raised against the Petitioner as also the gravity of offences and the status of the petitioner as the father-in-law of the deceased and regard being had to the submission of charge-sheet for offences punishable U/Ss. 498-A/304(B)/306/406/34 IPC r/w Section- 4 of D.P.Act and the opinion of Doctor in PM Report reflecting the death of the deceased to be suicidal hanging as revealed from the rejection order and taking into account the advanced age of the Petitioner and his pre-trial detention in custody since 14.07.2022, this Court admits the Petitioner to bail.

6. Hence, the prayer for the bail of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two solvent sureties each for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper with further conditions that the petitioner shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with and that he shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case.

It is clarified that the Court in seisin of the case will be at liberty to cancel the bail of the Petitioner without further reference to this Court, if any of the above conditions are violated or a case for cancellation of bail is otherwise made out.

The order may not be cited as a precedent for grant of bail to the other co-accused persons.

7. Accordingly, the BLAPL stands disposed of.

8. Issue urgent certified copy of the order as per Rules.

(G. Satapathy)
Judge

