

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11055 of 2021

Pitabas Sethi

.... ***Petitioner***
Mr. J.K. Panda, Advocate

-versus-

State of Orissa

.... ***Opp. Party***
Mr. S.N. Das, A.S.C.

CORAM:
JUSTICE G. SATAPATHY

ORDER
07.09.2022

Order No.

- 05.
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 Nayagarh P.S. Case No.167 of 2021 corresponding to G.R. Case No. 482 of 2021 pending in the Court of learned S.D.J.M., Nayagarh for commission of offences punishable under Section 498-A/304-B/302/34 of I.P.C. read with Section 4 of D.P. Act, 1961.
 3. In the course of hearing of the bail application, learned counsel for the petitioner submits that the petitioner is the father-in-law of the deceased and is inside the jail custody since 18.08.2021 and the petitioner being the father-in-law of the deceased has not committed any crime or dowry death of the deceased. On these submissions, learned counsel for the petitioner prays to enlarge the petitioner on bail.
 4. On contrary, learned counsel for the State, however, vehemently opposes the bail application of the petitioner.
 5. Considering the nature and gravity of allegations leveled

against the petitioner and the circumstance of the death as found from the post mortem report and taking into consideration the pre-trial detention of the petitioner since 18.08.2021 and regard being had to the nature and strength of allegations as well as the status of the petitioner as father-in-law of the deceased and no material being collected by the investigating agency to suggest that the petitioner would abscond or tamper evidence in the event of his release on bail vis-a-vis the age of the petitioner, 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 bond of Rs.25,000/- with one solvent surety 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 trial without fail unless his attendance is dispensed with by the learned trial Court and that he shall not leave the jurisdiction of the trial Court without prior permission till disposal of the case.

7. Accordingly, the BLAPL stands disposed of.

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

(G. Satapathy)
Judge

Subhasmita