IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9794 of 2026
CNR No. ODHC010733942026

Jagadish Mohanty **.....** ***Petitioner***

Represented by Adv. – Mr.Jajati Keshari Khuntia

-versus-

State Of Odisha **.....** ***Opposite Party***

Represented by Adv. – Mr.T.K. Acharya, A.S.C.

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
16.11.2026

Order No.

03. 1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel for the Petitioner as well as learned counsel for the State-Opposite Party. Perused the bail application and the case diary as well as the materials placed on record in course of hearing.

3. The present bail application under Section 483 of B.N.S.S has been filed by the Petitioner for regular bail in connection with C.T Case No.583 of 2026, arising out of Bamapada (Industrial Area) P.S Case No.181 of 2026, pending in the Court of learned J.M.F.C. (City), Balasore for alleged commission of offence punishable under Sections 85, 80(2), 103(1), 3(5) of BNS read with Section 4 of D.P. Act.

4. The factual backdrop of the prosecution story as alleged in

the FIR, in short, is that the complainant has lodged one written FIR before the Bamapada (Industrial Area) PS on 08.06.2024 with an allegation that her daughter eloped with one Jagadish Mohanty, S/o – Kanduri Charan Mohanty and got married at Jhadeswarnath Temple on 09.06.2024 and, after few months of marriage, the daughter of the complainant intimated him over phone by the complainant with regard to torture and demand of dowry. On 30.05.2026, at morning, the complainant got information from one Rashmi Ranjan Rout, a local resident of Chhanpur village, that his daughter was found hanging from a ceiling fan at her in-laws house. Upon receiving such information, the complainant suspected that she might have been murdered by the in-laws and action be taken against them as per law.

5. It is submitted by the learned counsel for the Petitioner that the Petitioner, who happens to be the husband of the victim, has been languishing in custody since 31.05.2026, i.e., from the date of his initial arrest. He further submitted that although the Petitioner was released on interim bail by this Court on the ground of illness, he has surrendered in the meantime and a copy of the surrender certificate dated 12.11.2026 has been placed on record by the learned counsel for the Petitioner. On perusal of the said certificate, it appears that the Petitioner has already surrendered and he has been taken back into custody.

6. Learned counsel for the Petitioner further contended that the Petitioner has been falsely implicated in the present case. He further submitted that the Petitioner and the victim, who are husband and wife, got married in a temple. He further submitted that there was a love relationship between them prior to their

marriage. Learned counsel for the Petitioner further contended that since the Petitioner could not fulfil the aspirations of the victim, the victim was under psychological pressure. As a result, the victim committed suicide by hanging herself in her bedroom. He further contended that in the meantime the investigation has been concluded and a preliminary charge sheet has been filed under Section 108 of the BNS. He further contended that since the death of the victim is suicidal and, as such, a charge sheet has been filed under Section 108 of the BNS, the Petitioner be enlarged on bail on any stringent terms and conditions as he had no direct role in the victim's suicide.

7. Learned Additional Standing Counsel, on the other hand, opposed the bail application of the Petitioner on the ground that the alleged crime is heinous in nature. He further submitted that prior to her death the victim was talking to her mother regularly and she had told her mother that she was being harassed by her in-laws family members to bring more dowry articles. Learned counsel for the State further submitted that some of the witnesses, who have been examined in course of investigation, have stated that there used to regular quarrel in the family and, as a result of such quarrel, the elder brother of the Petitioner was staying separately from the family, though in the very same house, and the rest of the members were also staying separately. Referring to the documents on record, learned counsel for the State submitted that there is no dispute that the victim has committed suicide under the psychological pressure to bring more dowry articles. On such ground, learned counsel for the State prayed for rejection of the bail application of the Petitioner at this juncture.

8. Having heard the learned counsels for the respective parties and on a careful examination of the case diary as well as the statement of the witnesses recorded in course of investigation, further on a close scrutiny of the post mortem report, this Court observes that the post mortem report corroborates the charge sheet filed under Section 108 of the BNS. There is no dispute with regard to the fact that the death of the deceased was suicidal and that she committed suicide by hanging herself in her bedroom. Moreover, careful scrutiny of the statement of the witnesses reveals that after the marriage both the Petitioner and the victim were not living peacefully and there used to be quarrel between them at frequent intervals. However, most of the witnesses have stated that they have not heard about any demand for dowry articles. On a careful examination of the Post Mortem Report, it appears that such report corroborates the case of the prosecution that the victim committed suicide.

9. Taking into consideration the collective statement of the witnesses examined and other materials on record, further keeping in view the nature of the allegation against the present Petitioner, this Court is inclined to release the Petitioner on bail subject to imposition of stringent conditions.

10. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.50,000/- (Rupees Fifty thousand) with two solvent sureties each for the like amount to the satisfaction of the learned court in seisin over the matter.

11. It is open for the Court in seisin over the matter to impose any other conditions as may be deemed just and proper. Violation of any other conditions shall entail cancellation of the bail

application.

12. The BLAPL is, accordingly, disposed of.

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(A.K. Mohapatra)
Judge

Anil

Signature Not Verified
Digitally Signed
Signed by: ANIL KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 17-Nov-2026 18:10:33