



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1445 of 2025

Nabaghan @ Nabaghana Ojha Petitioner
Mr. K. Gaya, Advocate

-Versus-

State of Odisha Opposite Party
Mr. C. Mohanty, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
26.03.2025

Order No.
04.

1. Heard Mr. Gaya, learned counsel for the petitioner and Mr. Mohanty, learned ASC for the State.
2. Instant petition under Section 483 BNSS is filed for release of the petitioner on bail in connection with Astaranga P.S. Case No.264 of 2024 corresponding to G.R. Case No.1421 of 2024 pending in the file of learned J.M.F.C., Nimapara on the grounds stated therein.
3. A copy of the chargesheet is produced in Court today by Mr. Gaya, learned counsel for the petitioner. It is submitted that a case under Section 108 BNS has been made out. It is submitted that though, a case under Section 103 BNS was registered but it has turned to one Section 108 BNS, as the deceased had a suicidal hanging. The submission is that the family of the petitioner intimated the informant about the death of the deceased. It is also submitted that there is general allegation against all the family members of the petitioner of dowry demand. Considering the same and since the chargesheet is filed and the petitioner, who happens to be the father-in-law and is in custody from 27th December, 2024,



he should be allowed to go on bail with any conditions. Mr. Mohanty, learned ASC for the State opposes the release of the petitioner in view of ill-treatment meted out to the deceased by him and other family members on account of dowry related demand and torture. A copy of the P.M. report is also produced by Mr. Gaya, learned counsel for the petitioner in respect of the deceased and the same reveals that the cause of death due to Asphyxia and venous congestion and a case of homicidal death is ruled out in view of filing of chargesheet under Section 108 BNS. Considering the fact that there has been allegation of omnibus nature and it has been directed against the petitioner as well, who is the father-in-law and as the death has been a suicidal hanging and in the meantime, the investigation is concluded, recording the objection of Mr. Pradhan, learned ASC for the State, the Court is inclined to release the petitioner on bail with following conditions. Accordingly, it is ordered.

4. In the result, the petition under Section 483 BNSS stands allowed. Consequently, the petitioner is directed to go on bail in connection with Astaranga P.S. Case No.264 of 2024 corresponding to G.R. Case No.1421 of 2024 subject to him furnishing bail bond of Rs.50,000/-(Rupees fifty thousand) with one solvent surety for the like amount to the satisfaction of the learned J.M.F.C., Nimapara, who shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case.

5. The BLAPL is disposed of.

6. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Signature Not Verified

Digitally Signed
Signed by: ALOK RANJAN SETHY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 27-Mar-2025 19:33:22

