



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 1621 of 2025

Manoj Kumar Prusty @ Manoj Pusti @ **Petitioner**
Babu Pusti @ Babu Prusty

Mr. S. Dwibedi, Advocate

-Versus-

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

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
26.03.2025

Order No.
03.

1. Heard Mr. Dwibedi, 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 Bhograi P.S. Case No.255 of 2023 corresponding to C.T. Case No.399(A) of 2023 pending in the file of learned G.N.-cum-J.M.F.C., Bhograi on the grounds stated therein.

3. In course of hearing, Mr. Dwibedi, learned counsel for the petitioner submits that the petitioner was not present at the residence of the deceased and has been implicated as he was in touch over phone with the co-accused persons, which has been established from the CDR. The submission is that except such evidence, there is no other materials against the petitioner to implicate him.

4. A copy of the chargesheet is produced today and on perusal of the same, the Court finds that the parents-in-law with kids of the deceased were at home during the night of alleged occurrence. Of



course, there is allegation against the petitioner for ill-treatment caused to the deceased along with other in-laws but nowhere, the presence of the petitioner in the house of the deceased during the frightful night is claimed. The co-accused husband has been granted bail by this Court vide BLAPL No.2039 of 2024 on similar ground that he was not at home by then. The parents-in-law of the deceased are in judicial custody at present. Considering the same and the only incriminating material which is suggested to be on record is with regard to telephone calls between the petitioner and the parents-in-law around the time of the death of the deceased and the fact that there has been no evidence to show that he was present in the house of the deceased and that he is in custody from 20th January, 2025, recording the objection of learned ASC for the State, the Court is inclined to release him on bail with conditions.

5. Accordingly, it is ordered.

6. In the result, the petition under Section 483 BNSS stands allowed. Consequently, the petitioner is directed to go on bail in connection with Bhograi P.S. Case No.255 of 2023 corresponding to C.T. Case No.399(A) of 2023 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 G.N.-cum-J.M.F.C., Bhograi, who shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case.

7. The BLAPL is disposed of.

8. Issue urgent certified copy as per rules.

Signature Not Verified

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



(R.K. Pattanaik)
Judge