



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1480 of 2025

Ajay Kumar Mallick

.... **Petitioner**

Mr. D. Panda, Advocate

-Versus-

State of Odisha

.... **Opposite Party**

Mr. C. M. Singh, ASC

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

24.03.2025

Order
No.

02.

1. Heard learned counsel for the petitioner and State.
2. Instant petition is filed for release of the petitioner on bail in connection with G.R. Case No.2289 of 2024 pending in the file of learned J.M.F.C.(O), Bhubaneswar corresponding to Balipatna P.S. Case No.510 of 2024 on the grounds stated.
3. Perused the FIR as at Annexure-1 and rejection order i.e. Annexure-2.
4. Mr. Panda, learned counsel for the petitioner produced a copy of the chargesheet filed in the month of January, 2025 to claim that the death of the deceased to be suicidal as the petitioner and co-accused persons stand chargesheeted for an offence under Section 108 BNSS, though, originally, a case under Section 103 BNSS was registered. The further submission is that the petitioner happens to be husband of the deceased and there is general allegation of dowry demand and ill-treatment meted out to the deceased wife. On the last occasion, this Court's by order dated 17th March, 2025 had directed the State to ascertain whether any such chargesheet is



filed with the alleged offence as claimed by Mr. Panda, learned counsel for the petitioner. Today, in view of the copy of the chargesheet being filed, it is revealed that a case under Section 103(1) BNSS has been ruled out. That apart, the Court finds that the allegations with regard to demand and torture to the victim are omnibus in nature without any specific particulars being revealed and narrated by the witnesses including the informant, namely, Rena Mallik, who is the mother of the deceased. In fact, such statements reveal that the deceased used to have frequent quarrels with the in-laws including the petitioner and according to the allegations, in view of ill-treatment, she at last committed suicide. Considering the same and submissions of learned counsel for the respective parties and since, the death is suicidal and upon closure of investigation, the chargesheet is filed, the petitioner, who is in custody from 5th December, 2024, according to the Court, he should be allowed to go on bail with conditions. Accordingly, it is ordered.

5. In the result, the petition stands allowed. Consequently, the petitioner is directed to be released on bail in connection with G.R. Case No.2289 of 2024 arising out of Balipatna P.S. Case No.510 of 2024 subject to him furnishing a bail bond of Rs.40,000/- (rupees forty thousand) with one solvent surety for the like amount to the satisfaction of the learned J.M.F.C.(O), Bhubaneswar, who shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case.

6. The BLAPL is disposed of.

7. Urgent certified copy of this order be granted as per rules.

Signature Not Verified

Digitally Signed
Signed by: THAKURDAS TUDU
Reason: Authentication
Location: OHC, CTC
Date: 25-Mar-2025 11:46:45



(R.K. Pattanaik)
Judge