



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.183 of 2019

Md. Mustak

....

***Appellant/
Petitioner***

Mr. H.M. Dhal, Advocate

-versus-

State of Odisha

....

***Respondent/
Opp. Party***

*Mr. Jateswar Nayak,
Addl. Government Advocate*

CORAM:

**THE HON'BLE MR. JUSTICE S.K. SAHOO
THE HON'BLE MR. JUSTICE S.S. MISHRA**

Order No.

**ORDER
23.07.2025**

I.A. No.69 of 2025

14. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

This is an application for bail.

Heard learned counsel for the appellant-petitioner, learned counsel for the State.

The appellant-petitioner Md. Mustak has been convicted under sections 498-A/304-B/201/34 of the Indian Penal Code and section 4 of the Dowry



Prohibition Act sentenced him to undergo imprisonment for life for the offence under section 304-B of the Indian Penal Code and he was sentenced to undergo R.I. for a period of three years and to pay fine of Rs.5,000/- (Rupees five thousand), in default, to undergo further R.I. for six months for the offence under section 498-A of the Indian Penal Code and to undergo R.I. for two years and to pay fine of Rs.1,000/- (Rupees one thousand), in default, to undergo R.I. for three months more for the offence under section 201 of the Indian Penal Code. Further he was sentenced to undergo R.I. for one year and to pay fine of Rs.3,000/- (Rupees three years), in default to undergo further R.I. for four months for the offence under section 4 of the D.P. Act and all the sentences were directed to run concurrently by the learned Additional Sessions Judge, Champua in Case No. S.T. Case No.39 of 2016.

As per the order dated 05.04.2025, learned counsel for the State has produced the written instruction dated 08.05.2025 received from the I.I.C., Champua Police Station to the effect that the petitioner has not indulged himself in any criminal activities during the interim bail period and he has cooperated with the police. The said report is taken on record.



Considering the submissions made by learned counsel for the petitioner that the petitioner is in judicial custody for more than nine years and that he has not misutilised the liberty granted to him while on interim bail and considering the ratio laid down in the case of ***Leti @ Jayadeb Roy and another vs. The State***, reported in ***(1990) 3 Orissa Criminal Reports 427***, we are inclined to release the petitioner on bail.

Let the appellant-petitioner be released on bail pending disposal of the appeal on furnishing bail bond of Rs.20,000/- (Rupees twenty thousand) with one local solvent surety for the like amount to the satisfaction of the learned trial Court.

Accordingly, the I.A. is disposed of.

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

(S.K. Sahoo)
Judge

(S.S. Mishra)
Judge

Subhasis

Signature Not Verified

Digitally Signed
Signed by: SUBHASIS MOHANTY
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 24-Jul-2025 17:52:21

