

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1483 of 2022

Kalyani Behera

....

Petitioner

Mr. A. Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. J.P. Patra,

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

22.02.2022

Order No.

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

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with C.T. Case No.53 of 2021 arising out of Rasgovindpur P.S. Case No.254 of 2021 pending in the Court of learned J.M.F.C., Rasgovindpur for alleged commission of offences under sections 294/506/500/454/380/34 of the Indian Penal Code.

Perused the first information reports annexed to the anticipatory bail application.

Learned counsel for the petitioner submitted that the petitioner instituted a case against her

husband and others in Baripada Town police station and accordingly, Baripada Town P.S. Case No.859 dated 07.10.2021 was registered under sections 498-A/342/506/494/313/34 of the Indian Penal Code read with section 4 of the D.P. Act and just a counter blast to the said case, this F.I.R. has been registered at a belated stage. Learned counsel further submitted that the informant of this case, namely, Utkal Keshari Pal is the husband of the petitioner and he is an accused in Baripada Town P.S. Case No.859 of 2021. It is further submitted that some of the co-accused persons have been released on anticipatory bail by this Court in ABLAPL No.16348 of 2021 as per order dated 21.01.2022 and keeping in view the proviso to section 437(1) Cr.P.C., the anticipatory bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail.

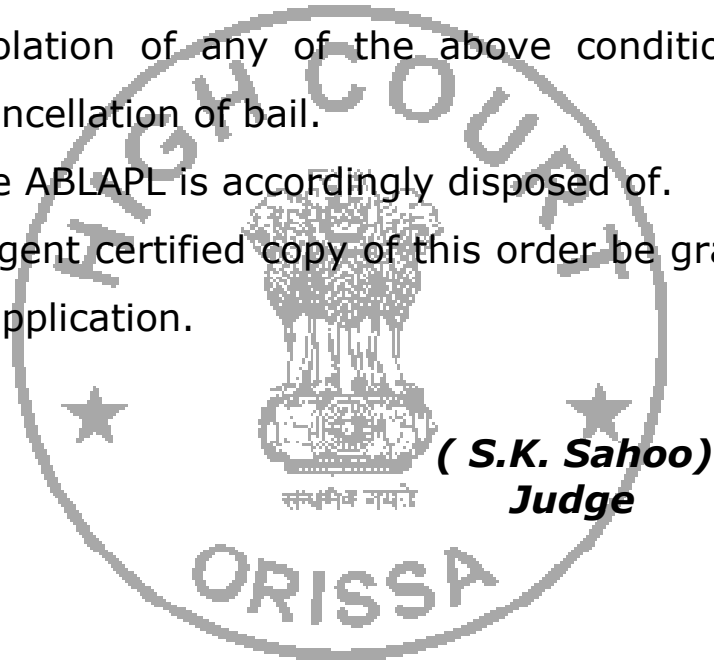
Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, release of co-accused persons on bail and keeping in view the proviso to section 437(1) Cr.P.C., I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, she shall be released on bail on

furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that she shall make herself available for interrogation by the I.O. as and when required and she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.



RKM