

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2160 of 2022

Chinmayee Das* *Petitioner

Mr.P.S. Mohanty, Advocate

-versus-

State of Odisha* *Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

ORDER

16.03.2022

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 Kamarda P.S. Case No.115 of 2021 corresponding to C.T. Case No.20 of 2022 pending in the Court of learned Gram Nyayadhikari -cum- J.M.F.C., Bhograi for alleged commission of offences under sections 376, 363, 294, 506/34 of the Indian Penal Code read with section 4 of POCSO Act.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the petitioner submitted that the petitioner is the mother of the main accused, who alleged to have kidnapped the daughter of the informant and the accusation against the petitioner may at best constitute an offence under section 294 of the Indian Penal Code and keeping in view the proviso to section 437(1) of 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 and keeping in view the proviso to section 437(1) of 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.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo

