

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2367 of 2022

Banita Biswal

....

Petitioner

Mr. S.R. Mohapatra, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. P.K. Mohanty,
Addl. Standing Counsel*

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

**ORDER
23.03.2022**

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 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Colliery P.S.Case No.90 of 2022 corresponding to G.R. Case No. 455 of 2022 pending in the court of learned S.D.J.M., Talcher for alleged commission of offences under sections 120-B, 379, 411, 468, 471 of the Indian Penal Code read with section 12 of the Odisha Minerals (Prevention of Theft, Smuggling and other Unlawful Activities) Act,

1989.

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

Considering the submission made by the learned counsel for the petitioner that petitioner is the registered owner of the offending truck in which the coal was being transported illegally and some of the co-accused persons after being taken into custody have been released on bail, copies of the bail orders are filed and taken on record and after hearing the learned counsel for the State 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 any facts to the Courts or to the Investigating Officer. Violation of any of the

conditions shall entail cancellation of bail.

The ABLAPL is disposed of.

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

(S.K. Sahoo)
Judge

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