

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2597 of 2021

Pravasini Pradhan* *Petitioner

Mr.J.Sahoo, Advocate

-versus-

State of Odisha* *Opp. Party

*Mr.D.K. Pani,
Addl. Standing Counsel*

Order No.

04.

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 Ranpur P.S. Case No.249 of 2020 corresponding to G.R. Case No.321 of 2020 pending in the Court of learned J.M.F.C., Ranpur for alleged commission of offences under sections 363, 506, 294, 364/34 of the Indian Penal Code and sections 5 and 6 of the Odisha Prevention of Witch Haunting Act.

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

Learned counsel for the petitioner submitted that the

petitioner has not been named in the F.I.R. and his implication in the case is based on the confessional statement of the co-accused before police and the F.I.R. named co-accused Paraga Kumar Sahoo @ Puskar Sahoo @ Kalia has been granted anticipatory bail in ABLAPL No. 10799 of 2020 as per order dated 08.03.2021. Learned counsel further submitted that section 364 of the Indian Penal Code has been deleted from the charge sheet and the rest of the offences are triable by Magistrate and since the petitioner is a lady, keeping in view the proviso to section 437(1) of Cr.P.C., the anticipatory bail application may be favourably considered. Learned counsel for the petitioner has filed the copy of the bail order passed in respect of the co-accused, which is taken on record.

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 the co-accused on bail and the fact that the offences are triable by Magistrate and keeping in view the proviso to section 437(1) of Cr.P.C., the interim order dated 18.03.2021 is made absolute.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge