

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 4004 of 2022

Mamata Samantaray

....

Petitioner

Mr. S. Jena, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

18.05.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is seeking pre-arrest bail in connection with T.R. Case No.117 of 2022 arising out of Air Port P.S. Case No.114 of 2022 pending in the Court of Learned District and Sessions Judge Khordha for commission of offence punishable under Sections 341/294/323/325 & 506 of the IPC read with Sections 3(1)(r)(s) and Sections 3(2)(v)(a) of SC & ST Act, 1989.
4. Mr. B.K. Nayak learned counsel has entered appearance on behalf of the informant by filing Vakalatnama, the same is kept on record.

5. Learned counsel for the informant submits that there are antecedent of similar nature, hence the petitioner is not entitled to be released on anticipatory bail.

6. Considering the submissions made by both the learned counsel, in the light of the order passed by this Court in the case of ***Promod Kumar Ray and others vrs. State of Odisha*** reported in ***(2017) 67 OCR 309***, this ABLAPL is disposed of with the following observations.

7. The petitioner shall surrender before the learned District and Sessions Judge Khordha, in T.R. Case No.117 of 2022 arising out of Air Port P.S. Case No.114 of 2022 within two weeks from today. Seven days before both the petitioner surrender before the said Court, Petitioner or her counsel shall serve a copy of the bail application or such number of copies of the bail application on the learned Public Prosecutor /Special Public Prosecutor, as required by him, for the purpose of notice to the victim and his/her dependent.

8. Taking into consideration the nature of the offence as alleged against the petitioner, it is directed that the petitioner shall be released on Interim Bail by the learned District and Sessions Judge, Khordha on the same day she surrender in the aforesaid case, pending disposal of the bail application on merit, on such terms and conditions as deemed just and proper, including the following conditions;

- 1) the petitioner shall appear before the I.O. once in a week on the day and time fixed by the said I.O. until further order by the learned Special Judge;

- 2) the petitioner shall not threaten, induce or coerce any witness of this case or the victim or his/her dependent in any manner whatsoever, and
 - 3) the petitioner shall not involve herself in similar or any other offence during currency of this order.
9. Within two weeks of appearance of the victim and/or informant, the matter shall be considered on its own merits.
10. Accordingly, the ABLAPL stands disposed of.
11. Urgent certified copy of this order be granted as per rules.

Santoshi

