

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4862 of 2022

Bijayanee Samal

....

Petitioner

Mr. B.K. Routray, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P.K. Rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.08.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
4. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.666 of 2022, arising out of Patkura P.S. Case No.151 of 2022 pending in the court of learned S.D.J.M., Kendrapara for commission of offence punishable under Sections 498-A/304-B/ 302/34, I.P.C. read with Section 4 of the D.P. Act.
5. It is submitted by learned counsel for the petitioner that the petitioner is a married lady and she is residing with her husband at Meerut. It is further submitted by learned counsel for the petitioner that there is no allegation whatsoever against the petitioner in the F.I.R. None of the witnesses have also implicated the present petitioner in the alleged crime. It is also submitted by learned

counsel for the petitioner that on similar footing with the present petitioner, other co-accused persons have already been released on bail by this Court in ABLAPL No.4795 of 2022 by order dated 26.07.2022.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, she shall be released on bail on such terms and conditions as would be deemed just and proper.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge

