

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6007 of 2022

Subasini Lenka

....

Petitioner

Mr. J. Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
28.06.2022**

Order No.

02. 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 Berhampur Sadar P.S. Case No.187 of 2022 corresponding to G.R. Case No.975 of 2022 pending in the Court of learned S.D.J.M., Berhampur for alleged commission of offences under sections 341/294/323/354-B/506/417/468/471/406/34 of the Indian Penal Code.

As per the order dated 21.06.2022, learned counsel for the State has produced the written

instruction dated 27.06.2022 received from the Inspector in-charge of Sadar police station, Berhampur from which it appears that the informant Rikarani Nayak produced the agreement dated 23.5.2022 made between her and the petitioner regarding return of money relating to purchase of plot is a genuine one which was seized by the Investigating Officer. The instruction be taken on record.

Considering the submissions made by the learned counsel for both the parties, since the money has already been refunded to the informant and the agreement executed between the parties is a genuine one and keeping in view the proviso to section 437(1) of Cr.P.C. and the fact that the offences are triable by Magistrate, 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.

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

(S.K. Sahoo)
Judge

