

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6162 of 2022

1. Baikuntha Mohanty

2. Minati Mohanty

....

Petitioners

Mr. S.K. Panda, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. Manoranjan Mishra,
Addl. Standing Counsel*

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

**ORDER
28.06.2022**

Order No.

01.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioners and learned counsel for the State. None appears for the informant.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Lalbag P.S. Case No.117 of 2022 arising out of G.R. Case No. 633 of 2022 pending before the learned S.D.J.M.(S), Cuttack for commission of alleged offence under section 341, 323, 294, 506,354-B, 379/34 of the Indian Penal Code.

Taking into account the background of the case, the relationship between the parties, the fact that the offences are triable by Magistrate, the nature of accusation against petitioner no.2, who is a lady and keeping in view the proviso to section 437(1) of Cr.P.C., this Court directs that in the event

of arrest of the petitioner no.2 Minati Mohanty 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 above conditions shall entail cancellation of bail.

So far as petitioner no.1 Baikuntha Mohanty is concerned, in view of available materials on record, while not inclining to grant him anticipatory bail, it is observed that in the event petitioner no.1 surrenders in the learned Court below and moves for bail, the learned Courts below shall dispose of the same in accordance with law expeditiously. The case records shall be made available to the Courts concerned for disposal of the bail application.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge