

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 5060 of 2022

Anima Biswas

....

Petitioner

*Mr. G. Mishra,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

*Mr. M. Mishra,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
13.10.2022**

**Order No.
3.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. The petitioner is in custody since 26.03.2022 in connection with M.V.79 P.S. Case No. 26 of 2022 corresponding to T.R. Case No. 14 of 2022 pending in the court of learned Additional Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of offence under Sections 363/366/366-A/354-C/109/34 of IPC read with Sections 8/12/17 of POCSO Act and Sections 66-E/67/67-A/67-B of I.T. Act.
4. This is the successive application filed by the petitioner for seeking bail, her earlier bail application being rejected by order dated 02.05.2022 passed in BLAPL No. 3125 of 2022. The bail application was rejected on the ground that the

victim girl was yet to be rescued. In the meantime, the victim girl has been rescued and some co-accused persons have already been granted bail, namely, Madhu Halder in BLAPL No. 5030 of 2022 and Krishna Baroi (BLAPL No. 5189 of 2022). There is no material on record to show that the petitioner does not stand on the same footing as the persons who have been directed to release on bail.

5. Considering above facts as also taking into account the period of detention in custody, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that the petitioner shall personally appear before the trial court on each date of posting of the case without fail.

6. The BLAPL is accordingly disposed of.

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

(Sashikanta Mishra)
Judge