

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6822 of 2022

Rasmita Sahu

....

Petitioner

Mr. Alok Kumar Das, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S.K. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

26.08.2022

Order No.

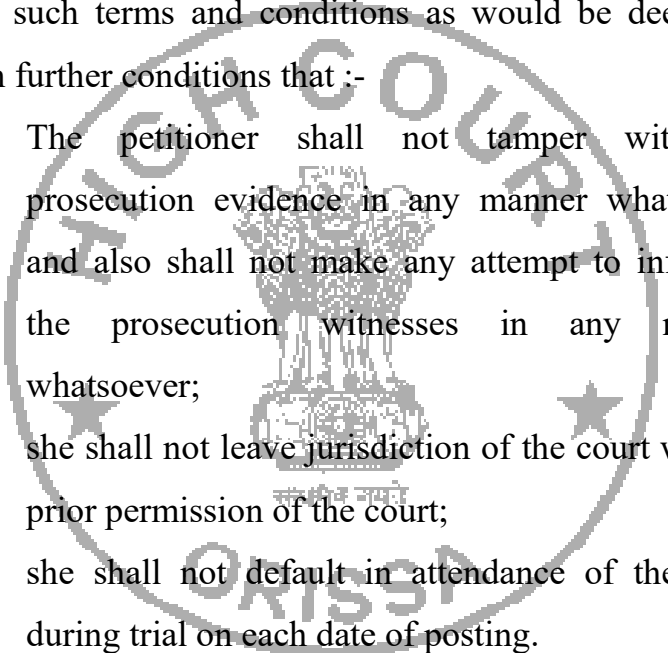
02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned 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 C.T. Case No.656 of 2016, arising out of Chandrasekharpur P.S. Case No.73 of 2016 pending in the court of learned S.D.J.M., Bhubaneswar for commission of offence punishable under Sections 294/420/409/506/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that investigation has already been concluded in the case. During investigation, house of the petitioner was raided and materials were collected. Further, charge-sheet has been filed against the petitioner for the alleged commission of offence punishable under Sections 420/409/294/506/34, I.P.C. and now, the case is pending for trial.
6. On perusal of order dated 13.07.2022, it appears that this court directed to State counsel as to whether process under Sections 82 and

83 of the Cr.P.C. have been issued against the petitioner or not.

7. In reply, learned counsel for the State submits that no such process has been initiated against the petitioner as yet.

8. Considering aforesaid facts and further taking into consideration the investigation already been concluded and 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 and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, the petitioner shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

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- I. The petitioner shall not tamper with the prosecution evidence in any manner whatsoever and also shall not make any attempt to influence the prosecution witnesses in any manner whatsoever;
 - II. she shall not leave jurisdiction of the court without prior permission of the court;
 - III. she shall not default in attendance of the court during trial on each date of posting.

Violation of any of the terms and conditions shall entail cancellation of bail.

9. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge