

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8142 of 2022

<i>Minaprabha Mohanti and others</i>		<i>Petitioners</i>
		<i>Mr. P.C. Jena, Advocate</i>
	<i>-versus-</i>	
<i>State of Odisha</i>		<i>Opp. Party</i>
		<i>Mr. S. Mishra, A.S.C.</i>

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
26.07.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners are seeking pre-arrest bail in connection with C.T. Case No.449 of 2022 arising out of Basta P.S. Case No.168 of 2022 on the file of learned N.G.N.-cum-J.M.F.C., Basta for commission of offence punishable under Sections 448/363/336-A/ 506/120-B/109/34, I.P.C.
5. It is submitted learned counsel for the petitioners that the petitioners have been falsely implicated in this case. It is further submitted by learned counsel for the petitioners that there was love relationship and the victim girl has already been rescued in the meantime.

6. Considering the submissions and the materials placed before the Court, it is directed that in the event of arrest of the lady members of principal accused family petitioner no.1-Minaprabha Mohanti, petitioner no.4-Lipika Das and petitioner no.7-Dipika Jena by the Arresting Officer in the aforesaid case, they shall be released on anticipatory bail on such terms and conditions as would be deemed just and proper by the Arresting Officer.

7. So far as petitioner nos.2, 3,5 and 6 are concerned. 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 no.2-Bijay Mohanty, petitioner no.3-Nityananda Mohanty, petitioner no.5-Tapan Kumar Das and petitioner no.6-Jhadeswar Jena. However, it is directed that in the event the petitioner no.2-Bijay Mohanty, petitioner no.3-Nityananda Mohanty, petitioner no.5-Tapan Kumar Das and petitioner no.6-Jhadeswar Jena surrender before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper.

8. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge