

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8348 of 2022

Kumari Puspa Dora

Petitioner

Mr. A. Tripathy, Advocate

-versus-

State of Odisha

Opp. Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

27.07.2022

Order No.

01.
 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner and learned Additional Standing 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 G.R. Case No.66 of 2022, arising out of Mohana P.S. Case No.92 of 2022 pending in the court of learned Special Judge, Gajapati under Scheduled Caste & Scheduled Tribes (P&A)1989 (Amendment 2015) for commission of offence punishable under Sections 324/326/307, I.P.C. read with Section 3(1)(r)/3(2)(v)(va) of the S.C. and S.T. (P&A) Act.
 5. It is submitted learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. It is further submitted that the S.C. and S.T. is not made out against the

petitioner.

6. On perusal of the F.I.R. it appears that the case under the S.C. and S.T. is not made out against the petitioner. Hence, the same is not maintainable.

7. 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. However, it is directed that in the event the petitioner surrenders before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he 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.

