

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8408 of 2022

Sweety Sahu and others

....

Petitioners

Mr. Ramdas Achary, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.08.2022

Order No.

I.A. No.1052 of 2022

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners as well as learned counsel for the State.
 3. In view of the submissions made, the order dated 28.07.2022 is hereby recalled. Accordingly, the I.A. stands allowed.

(A.K. Mohapatra)
Judge

ABLAPL No.8408 of 2022

- 04.
4. Heard.
 5. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.1772 of 2022, arising out of Bhadrak Town P.S. Case No.251 of 2022 pending in the court of learned S.D.J.M., Bhadrak

for commission of offence punishable under Sections 341/342/323/294/365/506/34, I.P.C.

6. Considering the nature of allegation, gravity of offence and the facts of the case, I am not inclined to grant anticipatory bail to the petitioner no.2-Radha Swain, petitioner no.3-Pradeep Baral @ Padmini, petitioner no.4-Elina Das. However, it is directed that in the event the petitioner no.2-Radha Swain, petitioner no.3-Pradeep Baral @ Padmini, petitioner no.4-Elina Das surrender before the learned court in seisin over the matter within a period of three weeks from today, they shall be released on bail subject to such terms and conditions as the learned court in seisin over the matter deems fit and proper and further subject to conditions that while on bail, they shall not harass, torture, threaten or terrorize the informant and his/her family members in any manner whatsoever, they shall cooperate with the Investigating Officer as and when required for the purpose of investigation and they shall not make any default in attendance of the trial court on each every date.

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

7. So far as petitioner no.1-Sweety Sahu is concerned, on the submission of the learned counsel, the petitioner no.1-Sweety Sahu is given liberty to surrender before the learned S.D.J.M., Bhadrak in the aforesaid case in the first hour within 21 working days hence and move for bail. On such event, the learned Magistrate shall consider his application for bail in the first hour strictly on the basis of the materials on record. In case of rejection of the bail application, the petitioner no.1-Sweety Sahu may move for bail before the higher forum in the second hour. On such event, the higher forum shall consider and dispose of the bail application of the petitioner no.1-Sweety Sahu on the same day strictly on the basis of the materials on

record.

8. Case Diary be made available to the concerned courts. Records be transmitted to the higher forum at the cost of the petitioners, if applied for.

9. The ABLAPL is accordingly disposed of.

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

(A.K. Mohapatra)
Judge

Jagabandhu

