

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9085 of 2022

Lakshmipriya Senapati

Petitioner

Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha

Opp. Party

Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

03.08.2022

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 seeking pre-arrest bail in connection with Special G.R. Case No.05 of 2021 corresponding to, arising out of Tarava P.S. Case No.115 of 2021 pending in the court of learned Special Judge, Sonepur for commission of offence punishable under Section 20(b)(ii)(C) of the N.D.P.S. Act read with Sections 25 and 29 of the Arms Act.
5. It is submitted by learned counsel for the petitioner that on similar footing with the present petitioner, another co-accused has already been released on bail.
6. Taking into consideration the nature of offence and non-availability of the case diary, I am not inclined to exercise my

discretion under Section 438, Cr.P.C. in favour of the petitioner.

7. However, it is observed that the petitioner, if so advised, may surrender before the learned Special Judge, Sonepur in the aforesaid case within three weeks from today. In the event her surrender and motion for bail within the aforesaid period, leaned Special Judge, Sonepur shall do well do dispose of the bail application of the petitioner on the same day on merit in accordance with law. The case diary be made available to the concerned court to facilitate disposal of the bail application of the petitioner.

8. Accordingly, the ABLAPL is disposed of.

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

Jagabandhu

