

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.10329 OF 2021

Minati Behera

.... ***Petitioner***
Mr. A.R. Panda, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Ms. Samapika Mishra, ASC.

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
11.08.2022**

Order No.

02. 1. This matter is taken up through hybrid arrangement (virtual/ physical) mode.
2. Learned counsel for the Petitioners submits that here in the case, these Petitioner being the mother of accused Ganesh against whom the allegations as to commission of principal offences run and this Petitioner other well wisher have been unnecessarily arraigned in the case being assigned with the role at the later point of time having no nexus with the commission of the principal offences. It is further submitted that the attempt to implicate the Petitioner in the above manner is only to harass her to the maximum. In view of all these above and in the absence of any such impediment; he urges for grant of bail to the Petitioner.
3. Learned Counsel for the State does not dispute the position that here as against accused-Ganesh, the allegations in respect of commission of the principal offences runs. He, however, opposes the move in view of the role said to have been played by the Petitioner.

4. Considering the submissions and on going through the nature of accusations; further keeping in view the surrounding circumstances of the case as also concerning the Petitioner; it is directed that in the event the Petitioner surrenders before the Court in seisin of the case in connection with Basta P.S. Case No. 183 of 2021 corresponding to Special Case No.184 of 2021 on the file of learned Additional District Judge-cum-Special Judge, Balasore within two weeks hence and moves for her release on bail, she shall be released on bail on such terms and conditions as would be deemed just and proper by the said Court in seisin of the case with further condition that she will not threaten or terrorize the prosecution witnesses including the victim in any manner.

5. The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**

Narayan