

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9997 of 2022

Nalini Prava Das

....

Petitioner

Mr. Seshadev Dash, Advocate

-versus-

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

07.09.2022

Order No.

02.

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.1057 of 2022, arising out of Angul Town P.S. Case No.388 of 2022 pending in the court of learned S.D.J.M., Angul commission of offence punishable under Section 420, I.P.C.

5. It is submitted by learned counsel for the petitioner that the petitioner is the wife of the principal accused, namely, Hirak Kumar Parida, who had taken away a cash of rupees one crore from the informant for admission to the daughter of the informant in a medical college. However, since the seat could not be arranged, the informant demanded money and when the informant went to the

principal accused, the present petitioner assured him to return money. However, other than there is no allegation against the present petitioner. It is further submitted by learned counsel for the petitioner that the principal accused has already been arrested and is in custody on 23.07.2022.

6. 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 and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, she shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and
- II. she shall not default in attendance of the court during trial on each date of posting.

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

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge