

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10319 of 2022

***Sradhanjali @ Shradhanjali
Mohajan***

....

Petitioner

*Ms. Diptirekha Nanda, Advocate
-versus-*

State of Odisha

....

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

02.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.524 of 2019 T.R. Case No.476 of 2020 corresponding to, arising out of Jankia P.S. Case No.80 of 2018 pending in the court of learned Additional Sessions Judge, Bhubaneswar for commission of offence punishable under Sections 363/366/376(2)(n)/344/346/34, I.P.C. read with Section 6 of the POCSO Act and Section 10 of PCM Act.
4. It is submitted by learned counsel for the petitioner that the principal accused, who is on similar footing with the present petitioner, has already been released on bail. It is further submitted by learned counsel for the petitioner that the case of the year 2018. It is also submitted by learned counsel for the petitioner that the victim has been examined in the meantime and her statement has been

recorded. As per statement of the victim, nothing has been stated anything against the petitioner.

5. 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.

6. However, it is observed that the petitioner, if so advised, may surrender before the learned Additional Sessions Judge, Bhubaneswar in the aforesaid case within three weeks from today. In the event her surrenders and motions for bail within the aforesaid period, leaned Additional Sessions Judge, Bhubaneswar 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.

7. Accordingly, the ABLAPL is disposed of.

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

(*A.K. Mohapatra*)
Judge