

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10600 of 2022

***Pratima Mallik @ Madhusmita
Mallik***

....

Petitioner

Mr. Amulya Ratna Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

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

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
06.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Section 363, I.P.C.
4. Learned counsel for the Petitioner submits that the Petitioner is the sister of the principal accused namely Nihar Ranjan Rout. He further submits that the principal accused has already been arrested and released on bail in the meantime and the victim girl has already been rescued by the police in the meantime. He further submits that the only allegation against the present Petitioner is that the principal accused happens to be the brother of the present Petitioner and the

victim girl having love relationship with the principal accused, had stayed in the house of the present Petitioner for some days.

5. Considering such submission, seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned Sessions Judge-cum-Special Judge, (POCSO), Jajpur in C.T. Spl. (POCSO) Case No.52 of 2022 corresponding to Binjharpur Sadar P.S. Case No.31 of 2022 within a period of three weeks from today, she shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case.

6. The ABLAPL is disposed of accordingly.

7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge