

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8601 of 2022

Chhabirani Sethi

....

Petitioner

Mr. J. Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
01.12.2022

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in G.R. Case No.1033 of 2022, pending in the file of learned S.D.J.M., Talcher, arising out of Colliery P.S. Case No.217 of 2022, for commission of alleged offences under Sections 120-B/419/420/468/471 of IPC.
3. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Talcher by order dated 01.09.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that the petitioner is in custody since 13.05.2022 and charge sheet has been filed on 11.07.2022.
5. It is on record that a sum of Rs.21,50,140/- (Rupees Twenty Lakh Fifty Thousand One Hundred Forty) has been transferred on different occasions to the account of the present

accused and the prime co-accused, the husband of the petitioner, is an absconder.

6. During the pendency of the bail application, an affidavit has been filed by the son of the present petitioner giving an undertaking by way of affidavit dated 15.11.2022 that without prejudice to the rights of the present accused, they are prepared to deposit a sum of Rs.21,50,140/- (Rupees Twenty Lakh Fifty Thousand One Hundred Forty) within three months from the date of release of his mother on bail. Copy of the affidavit be treated as part of the order.

7. Considering the same, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter including the direction for deposit of the amount as aforesaid by four equal installments within the period of three months indicating the dates of such deposit(s).

8. In the event, the amount is paid the same shall be kept in a short term interest bearing account and shall abide by the final result in the case at hand.

9. In the event of the default in payment as undertaken, the learned Court in seisin may take action in accordance with law for the breach.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge