

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8263 of 2021

Sulochana Sahoo and another *Petitioners*
Mr. S.P. Das, Advocate
-versus-
State of Odisha *Opposite Party*
Mr. K.K. Nayak, ASC for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
06.04.2022

Order No.

03. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Khordha Model P.S. Case No.238 of 2021, corresponding to G.R. Case No.672 of 2021, pending in the file of learned S.D.J.M., Khordha, for commission of alleged offences under Sections 302/379/34 of I.P.C.
3. Heard learned counsel for both the parties. Perused the FIR, Case Diary and statement of witnesses.
4. Learned counsel for the Petitioner submits Petitioner Nos.1 is the mother and Petitioner No.2 is the daughter both were in jail custody since 16.06.2021. Further charge-sheet has been filed and trial of four witnesses have examined including one child witness Rajan Muduli. He further submits that since

Petitioners are resident of the locality, there is no chance of Petitioners tampering or absconding the trial in the event of their bail. Further considering the submission made in the FIR, the Petitioner Nos.1 and 2 should not have been enlarged on bail. However on the ground that they are ladies, their case gave been considered.

5. Learned counsel for the State vehemently objects the prayer for bail of the Petitioners. It is submitted that no leniency should be shown to the present Petitioners. Accordingly, he urges for rejection of his bail application of the Petitioners.

6. Having regard to the facts and circumstances of the case, considering the nature and gravity of offences alleged and the period of detention of the Petitioner Nos.1 and 2, this Court is inclined to release the Petitioners on bail on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) each with one solvent surety each for the like amount to the satisfaction of the learned court in seisin of the matter subject to the following conditions :

- i) They shall not indulge themselves in any kind of offence during the period of bail;
- (ii) They shall appear before the trial court on each and every date as fixed by the court;
- (iii) They shall not tamper with the prosecution evidence;
- (iv) They shall not influence or threaten any prosecution witness and cooperate in the investigation;

(v) They shall not leave the jurisdiction of the court without special permission from the court; and

(vi) Violation of any of the above conditions shall entail cancellation of the bail.

7. It is further directed that the court in seisin of the matter to verify the criminal antecedents of the Petitioners and impose any additional condition(s), if situation so warrants. This order shall remain valid in the event the court in seisin of the matter is satisfied that Petitioner has no criminal antecedents.

8. With the above direction, the BLAPL is accordingly allowed.

9. Issue urgent certified copy of this order on proper application.

(A.K. Mohapatra)
Judge