

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12357 of 2022

Sasmita Sahu

....

Petitioner

Mr. Prabhas Chandra Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashanka Patra, A.S.C.

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

**ORDER
27.09.2022**

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 Sections 448/323/365/506/34, I.P.C.
4. It is submitted by learned counsel for the Petitioner that the victim has already been rescued on the very same day of the occurrence. He further submitted that the present Petitioner is the mother of the victim girl.
5. On a reading of the F.I.R. it appears that the victim girl married to one Silu Sahu on her own volition and she is staying with said Silu Sahu and leading a happy conjugal life. The mother

(Petitioner) probably was not in favour of the said marriage. Therefore, she is trying to take her daughter away from said Silu Sahu by adopting any means.

6. However, considering the surrounding facts and circumstances, nature 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 S.D.J.M., Hindol in G.R. Case No.488 of 2022 corresponding to Balami P.S. Case No.172 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.

However, while imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O.;
- (ii) She shall not threaten, terrorise, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner whatsoever.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner, and it is open for the learned court in seisin over the matter to proceed against the Petitioner in accordance with law.

7. The ABLAPL is disposed of accordingly.
8. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

S.K.Parida

