

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9462 of 2022

Jhilli Sethi

....

Petitioner

Mr. A.K. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

17.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in connection with G.R. Case No.1162 of 2022 pending on the file of learned J.M.F.C., Aska, arising out of Dharkote P.S. Case No.228 of 2022, for alleged commission of offences under Sections 341/323/324/294/506/34 of IPC and is in custody since 08.09.2022.
4. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned Additional Sessions Judge, Aska, Ganjam by order dated 23.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that in the meanwhile both the injured persons are leading a normal life and as investigation has progressed substantially, further continuance of the petitioner in custody who is a lady is unwarranted.

6. Learned counsel for the State opposes the prayer for bail inter alia on the ground that one of the injured persons has suffered grievous injury.

7. Taking into account the period of custody since 08.09.2022 and stage of investigation and invoking the legislative intent as stated under the first Proviso to Section 437(1) of Cr.P.C., this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. While enlarging the petitioner on bail the learned court below shall verify assertion regarding her criminal proclivity. If it comes to the fore that the petitioner has any criminal antecedent this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi