

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12477 of 2022

Sushmita Soren

....

Petitioner

Mr. Kshitish Kumar Mohapatra, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

28.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. On the basis of oral prayer, learned counsel for the Petitioner is allowed to make necessary corrections in the cause-title of the bail application in court today, so far as the case number and its nomenclature is concerned.
3. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
4. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 409/420/465/467/468/471, I.P.C.
5. Learned counsel for the Petitioner submits that the Petitioner is a lady, who is working as Assistant Manager in the Bank. It is alleged that she permitted a customer (co-accused) to use his OD Account beyond the permissible limit and allow him to withdraw

money from that account. It is further submitted by learned counsel for the Petitioner that the customer concerned has already repaid the amount to the Bank and the said OD Account has already been closed in the meantime.

6. Considering the aforesaid 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 S.D.J.M., Balasore in C.T. Case No.618 of 2020 corresponding to Bamapada (Industrial Area) P.S. Case No.104 of 2020 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, but subject to verification of the fact that the aforesaid OD Account has already been closed after repayment of the full dues of the Bank.

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 also appear before the trial court on each date fixed for trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

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

