

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12714 of 2022

Laxmipriya Nayak @ Laxmipriya Swain ***Petitioner***

Mr. S.R. Mohapatra, Advocate

-versus-

State of Odisha ***Opposite Party***
Mr. S. Jena, ASC

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
23.02.2023**

Order No.

- 02.
1. This matter is taken up through hybrid arrangement (virtual/physical mode).
 2. The Petitioner having been implicated in Badambadi P.S. Case No.190 of 2022 corresponding to G.R. Case No.830 of 2022 registered for alleged commission of offence under sections 420/294/506/34, I.P.C. pending on the file of the learned J.M.F.C.(City), Cuttack has filed this application under section 438 Cr.P.C. for her release on bail in the event of her arrest.
 3. Learned counsel for the Petitioner submits that this Petitioner being the wife of the principal accused Shiva Kumar Swain has been unnecessarily arraigned in this case only for being harassed. He further submits that this Petitioner had nothing to do with the collection of money from the depositors

and carrying out the banking activities. He, therefore, prays for grant of anticipatory bail to the Petitioner.

4. Learned counsel for the State opposes the move. According to him, the materials on record collected in course of investigation show that the Petitioner had the direct involvement in running of that Jai Jhadeswar Co-operative Society Ltd. He submits that release of this Petitioner on anticipatory bail would scuttle the fair investigation of the case, which is running for cheating huge number of persons by collecting deposits under various schemes.

5. Considering the submissions made, it is seen that the Petitioner was none other than the Managing Director of Jai Jhadeswar Co-operative Society Ltd., her husband was the Chief Executive Officer and her father-in-law was an active member having the involvement with the activities of the said Jai Jhadeswar Co-operative Society Ltd. He further submits that several cases have been registered at the instance of the innocent depositors, who have not been refunded with their money.

6. Keeping in view the submissions made and on going through the materials as placed including the role said to have been played by this Petitioner in the activities of the said Co-operative Society Ltd. and her position therein further keeping in view the involvement of this Petitioner in several cases of similar nature as well as the plight of large number of depositors and their sufferance being swindled away by falling within the net created by this Petitioner and other accused persons and

losing their hard earned money, I do not find it to be a fit case for grant of anticipatory bail.

7. Accordingly, the ABLAPL stands dismissed.
Interim order dated 17.10.2022 stands vacated.
8. Issue urgent certified copy as per rules.

(D. Dash)
Judge

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