

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9613 of 2022

***Sumitra Patel @ Sujata Patel @
Suitra Patel***

Petitioner

Mr. P.K. Nayak, Advocate

-versus-

State of Orissa

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

07.12.2022

Order No.

03.

1. Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is an accused in connection with C.T. Case No.2012 of 2022, pending in the Court of learned S.D.J.M., Jharsuguda, arising out of Kolabira P.S. Case No.112 of 2022, for alleged commission of offences under Sections 420/467/468/471/474/419/120(B) of IPC.

3. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned ADJ-cum-P.O. Special Court POCSO, Jharsuguda, by order dated 25.08.2022 in the aforementioned case, the present BLAPL has been filed.

4. It is submitted by the learned counsel that the petitioner is in custody since 02.08.2022 with a baby in the lap and as investigation has progressed substantially, further continuance of the petitioner in custody is unwarranted.

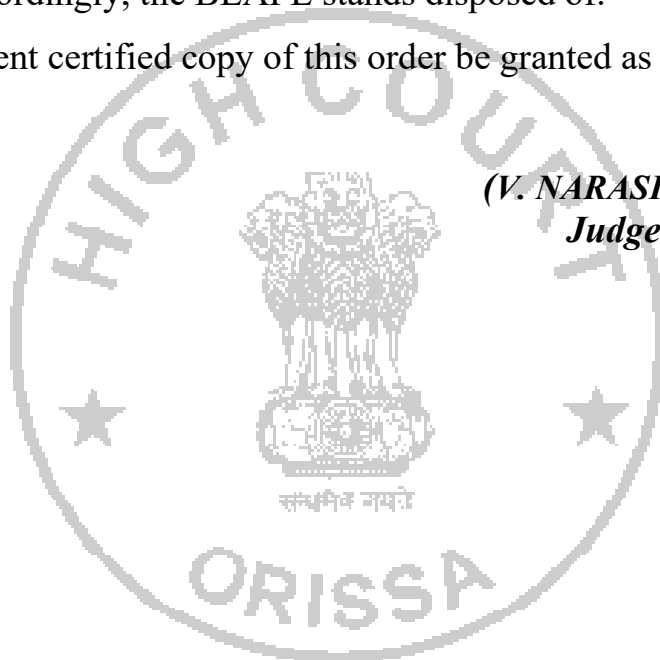
5. Learned counsel for the State opposes the prayer for bail inter alia submitting that the petitioner has duped the innocent villagers in the name of granting them loan under the Pradhan Mantri Mudra Loan Yojana and as such during the currency of investigation, she ought not to be released on bail.

6. Considering that the petitioner has been blessed with a baby and keeping in view the first proviso to Section 437(1) 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.

7. Accordingly, the BLAPL stands disposed of.

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

Ayesha



(V. NARASINGH)
Judge