

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13255 of 2022

Nibedita Kamila

Petitioner

....
Mr. D.K. Mohanty, Advocate

-versus-

State of Odisha

Opp. Party

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.10.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioner for anticipatory bail.
4. The petitioner is seeking pre-arrest bail in connection with G.R. Case No.1684 of 2022, arising out of Baseli Sahi P.S. Case No.178 of 2022 pending in the court of learned S.D.J.M., Puri for commission of offences punishable under Sections 409/419/420/468/471/34, I.P.C.
5. It is submitted by learned counsel for the petitioner that the F.I.R. has been lodged against the petitioner is omnibus in nature. It is further submitted by learned counsel for the petitioner that the husband of the petitioner has already been arrested and is in custody and that there is no specific allegation against the petitioner.
6. Considering the nature of allegation, gravity of offence and the

fact of the case, I am not inclined to grant anticipatory bail to the petitioner. However, it is directed that in the event the petitioner surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, she shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions that :-

- I. The petitioner shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and
- II. she shall not indulge in similar criminal antecedents while on bail.

Violation of any of the terms and conditions shall entail cancellation of bail.

7. It is further directed that the bail granted to the petitioners is subject to the condition that learned court below shall verify whether the petitioner has any criminal antecedents of similar nature. In the event it is found that the petitioner has any criminal antecedents of similar nature, this bail order shall automatically stand revoked. Case diary be made available on the date of surrender of the petitioner before the learned court below.

8. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge