

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10162 of 2022

Rinki Das

....

Petitioner

Mr. A. Dash, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

03.11.2022

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 G.R. Case No.426 of 2021, pending in the file of learned J.M.F.C., Kodala, Ganjam arising out of Kodala P.S. Case No.488 of 2021, for alleged commission of offence under Sections 147/148/452/294/323/379/427/436/506/149 of IPC.
4. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned Additional District & Sessions Judge, Kodala, Ganjam by order dated 26.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. It is submitted by the learned counsel for the petitioner that petitioner is in custody since 20.09.2022 and keeping in view that he is a lady, further continuance of the petitioner is not warranted.

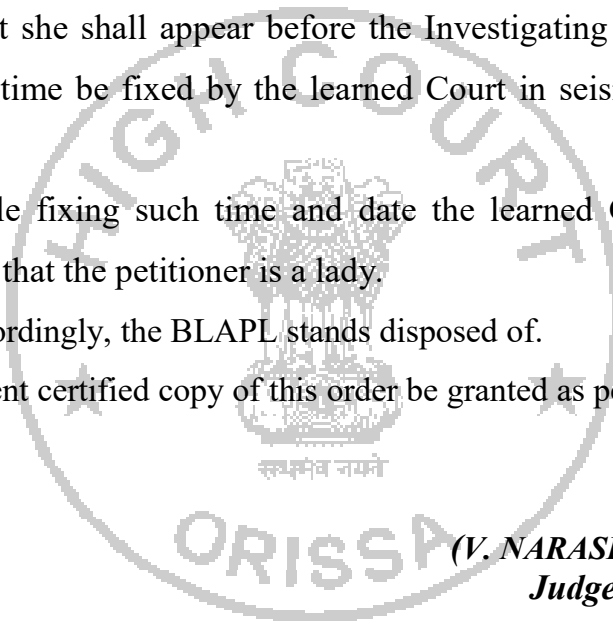
7. Learned counsel for the State opposes the prayer for bail and submits that during the currency of investigation, she ought not to be released on bail, considering the allegations as made in the FIR which is on record

8. Taking into account the submissions of the learned counsel for the petitioner that petitioner is a lady and in custody since 20.09.2022 and keeping in view 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 learned Court in seisin over the matter including that she shall appear before the Investigating Officer on the date and time be fixed by the learned Court in seisin over the matter.

9. While fixing such time and date the learned Court shall keep in mind that the petitioner is a lady.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rules.



Santoshi