

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13674 of 2022

Sarojini Chhotray

.... ***Petitioners***
Mr. A.S. Paul, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.10.2022

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.1701 of 2022, arising out of Bolagarh P.S. Case No.262 of 2022 pending in the court of learned S.D.J.M., Khurda for commission of offence punishable under Sections 379/411/34, I.P.C. read with Section 68 of OMMC Rules, 2004.
5. It is submitted by learned counsel for the petitioner that the petitioner is the owner of the vehicle and she has been falsely implicated in this case.
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 not threaten, harass and terrorize the informant and her /his family members in any manner whatsoever;
- II. she shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and
- III. she shall not indulge in similar nature of offence, while on bail.

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

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge