

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9439 of 2021

Sabita Mahalik

....

Petitioner

Mr. J. Sahoo
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
07.01.2022.

Order No.

01.

1. This matter is taken up through hybrid mode.

2. Heard Mr. J. Sahoo, learned counsel for the Petitioner and Mr.S.K.Mishra, learned Addl. Standing Counsel for the State.

3. The Petitioner is in custody since 10th August, 2021 in connection with Narasinghpur P.S. Case No.121/2021 corresponding to C.T. Case No.188/2021 pending in the court of learned J.M.F.C., Narsinghpur for the alleged commission of

the offence under Sections 341/323/324/326/302/307/34 of I.P.C.

4. The allegation is that on the date of occurrence the present Petitioner and five other persons came to the spot being armed with deadly weapons and assaulted the in-laws and husband of the informant causing serious bodily injuries due to which the mother-in-law of the informant subsequently died.

5. It is submitted that no specific overt act has been attributed by the informant in the F.I.R. to the Petitioner except for the allegation that she was part of the group which threatened and abused the deceased. It is further submitted that the co-accused persons namely, Bhimasen Mahalik and Tapan Mahalik have been granted anticipatory bail by this Court in ABLAPL Nos.12690 and 12691 of 2021 respectively.

6. Learned Addl. Standing Counsel for the State, on the other hand, has opposed the prayer for bail by submitting that there are adequate materials on record to show that the Petitioner also aided the commission of the crime and, hence, she is equally liable.

7. Having regard to the submissions made, the materials on record, the period of detention already undergone and the fact that two of the co-accused persons have already been released on bail as also the fact that charge sheet has already been

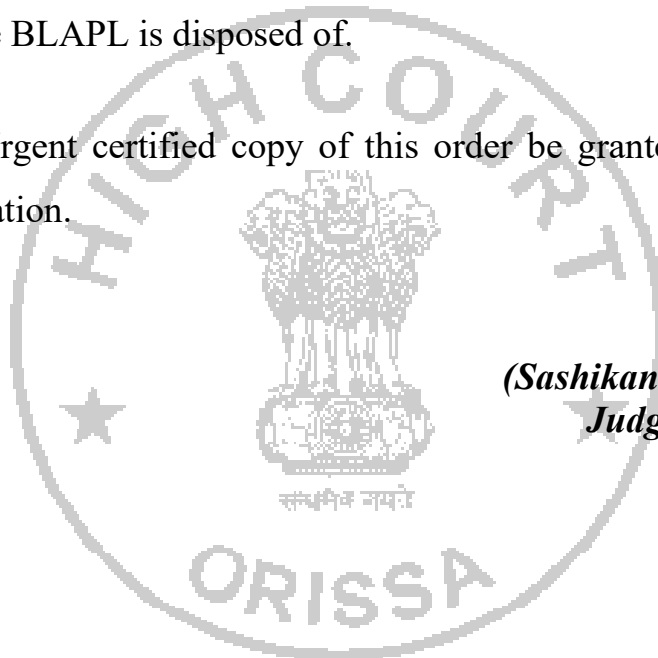
submitted, I find no justified reason to detain the Petitioner in custody any longer. The BLAPL is, therefore, allowed.

8. Let the Petitioner- Sabita Mahalik be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that she shall appear before the trial court on each date of posting of the case without fail.

9. The BLAPL is disposed of.

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

AKB



(Sashikanta Mishra)
Judge