

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10490 of 2022

Indumati Prusty

....

Petitioner

Mr. K. Mohanty, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
13.12.2022

Order No.

02.

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.1454 of 2022, pending in the Court of the learned Judicial Magistrate First Class, Chadikhole, arising out of Jenapur P.S. Case No.253 dated 20.09.2022, for alleged commission of offences under Section 420 of IPC.
3. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned Assistant Sessions Judge, Chandikhole, by order dated 14.10.2022 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 29.09.2022 and charge-sheet has been filed on 27.11.2022.
5. It is submitted by the learned counsel that the allegation is non deposit of money collected from members of S.S.G Group.

6. It is also stated that the petitioner is a disabled person and in view the first proviso to Section 437(1) of Cr.P.C., she seeks release.

7. Learned counsel for the State opposes the prayer for bail inter alia on the ground that the petitioner has criminal antecedents of similar nature.

8. Taking into account the petitioner is a lady and a disabled one, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

9. Additionally, it is directed that the petitioner shall appear before the Investigating Officer on the date and time as fixed by the learned Court in seisin. While fixing the first date and time of such appearance, the learned Court in seisin shall keep in mind that the petitioner is a lady and is physically challenged.

10. Accordingly, the BLAPL stands disposed of.

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

Ayesha

(V. NARASINGH)
Judge