

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10672 of 2022

Jayanti Patra

....

Petitioner

Mr. S.K. Pattnaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. A. Pradhan, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
22.11.2022

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 2(a) CC Case No.182 of 2022 pending on the file of learned S.D.J.M., Bonai, arising out of Bonai Excise Station P.R. Case No.86 of 2022-23 for commission of offence under Sections 52(a)(i)/55(b)/59(a)/62(2)/52(c) in contravention of Section 16(1) of the Odisha Excise Act and is in custody since 29.09.2022.
 4. Being aggrieved by the rejection of her application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge, Bonai by order dated 20.10.2022 in the aforementioned case, the present BLAPL has been filed.
 5. Learned counsel for the Petitioner submits that taking into account the nature of allegation and the period of custody and the

Petitioner being a lady, the further continuance of the Petitioner in custody is not warranted.

6. Learned counsel for the State on the basis of order of rejection submits that stringent condition may be imposed since the Petitioner is praying for release during currency of the investigation.

7. Taking into account the period of custody, nature of allegation and the Petitioner being a lady, 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.

8. Additionally, it is directed that the Petitioner shall appear before the I.O on the date and time as fixed by the learned Court in seisin over the matter. While fixing the first date and time of such appearance, learned Court in seisin shall keep in mind that the Petitioner is a lady.

9. While releasing the bail, learned Court in seisin shall verify the criminal antecedent of similar nature. If it comes to the fore that the Petitioner has such criminal antecedent, this order shall stand recalled.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

PKS