

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.10871 of 2022

Rina Sahu

.... Petitioner

Mr. P.S. Das, Advocate

-versus-

State of Odisha

.... Opp.Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
15.12.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 439 Cr.P.C. in connection with Polasara P.S. Case No.62 of 2017 corresponding to S.T. Case No.111 of 2020 pending in the file of learned Additional Sessions Judge, Kodala for alleged commission of offences under sections 302/201/34 of the Indian Penal Code.

The prayer for bail of the petitioner has been rejected by the learned Additional Sessions Judge,

Kodala vide order dated 03.03.2022.

Learned counsel for the petitioner submitted that the petitioner was released on bail by this Court in BLAPL No.9036 of 2017 as per order dated 14.03.2018 and all along she was taken steps in the matter in the Court below but on 22.11.2021, since no step was taken and the petitioner was found absent on repeated calls, N.B.W.(A) was issued against the petitioner on account of which she was taken into judicial custody. Learned counsel for the petitioner has filed the copy of the bail order and order of issuance of N.B.W.(A) with a memo, which is taken on record. He further submits that the petitioner is ready and willing to cooperate with the learned trial Court for early disposal of the case and therefore, the bail application of the petitioner may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

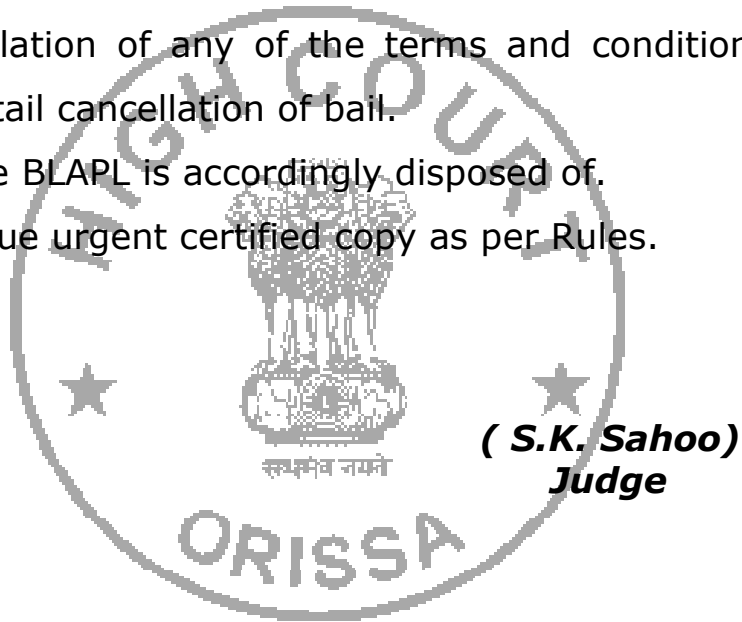
Considering the submissions made by the learned counsel for the respective parties, since the petitioner was on bail granted by this Court and taking into account the period of detention of the petitioner in judicial custody after she was taken into custody by virtue of N.B.W.(A) and further taking into account the proviso under section 437(1) Cr.P.C., I am inclined to release the petitioner on bail.

Let the petitioner be released on bail in the aforesaid case on furnishing bail bond of Rs.50,000/- (rupees fifty thousand) with two local solvent sureties each for the like amount to the satisfaction of the learned Court in seisin over the matter with further terms and conditions as the learned Court may deem just and proper to ensure her presence during trial with further condition that the petitioner shall appear before the trial Court on each date when the case would be posted for trial.

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

The BLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.



(S.K. Sahoo)
Judge

RKM