

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14406 of 2022

Sasmita Sahu

....

Petitioner

Mr. S.K. Mohapatra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. M.K. Mohanty, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

18.11.2022

Order No.

01.

1. Heard learned counsel for the Petitioner and the State.

2. By means of this application, the Petitioner seeks for bail U/s.438 Cr.P.C. in anticipation of arrest for his alleged involvement in the offences U/s.417/420/465/468/471 IPC in connection with Kaptipada P.s. Case No.310 of 2022 corresponding to G.R. Case No.996 of 2022 pending in the court of learned S.D.J.M., Udala.

3. It is alleged that on 28th October, 2022, the IIC, Kaptipada PS received a memo from the District Education Officer, Baripada, Mayurbhanj to the effect that the Petitioner, namely, Smt. Sasmita Sahu got engaged as Sanskrit Teacher in Government UGHS, Majhigadia under Kaptipada Block of Mayurbhanj district by producing fake and forged certificate in respect to her Master Degree and grabbed a sum of Rs.27,09,832/- during her service period in a fraudulent manner. On the basis of the report, the Police

registered the case and took up investigation. The Petitioner being apprehensive of her arrest moved in the present.

4. It is submitted by learned counsel for the Petitioner that the allegation has no substance and that the amount allegedly to have been grabbed the salary received by the Petitioner against the service rendered by her as a Teacher and a case has been hatched against her on extraneous ground to her out of employment to wreak personal vengeance.

5. Learned counsel for the State, on the other hand, opposed the bail application of the Petitioner.

6. Having regard to the submissions made, perusal of the F.I.R., it emerges that the allegations centers ground the submission of fake and forge certificate by the Petitioner during her entry into service. The subject matter of the allegation needs a complete adjudication during trial. However, it is true that the Petitioner has been working as a Teacher and has received salary allegedly to have been grabbed. Nothing reveals from the FIR any departmental action has been initiated against her and if is continuing in service. In such eventuality, while this Court is not inclined to the Petitioner to admit bail, there is no impediment in allowing her liberty to surrender and move for bail before the court in seisin over the matter within three weeks' hence. In such event, the concerned court shall admit the Petitioner to bail on such terms and conditions as would deem fit and proper and further condition that she shall cooperate with the investigation as and when required by the

investigating agency and shall also appear before her authority in order to receive administrative direction is issued to her and shall not leave the station without leave of the court.

7.The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge

KC Bisoi

