

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14711 of 2022

Aparajita Nayak @ Mala

....

Petitioner

Mr. L. Mahapatra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. D. Biswal, ASC.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

01.12.2022

Order No.

- 01.
1. Heard learned counsel for the Petitioner and learned counsel for the State.
 2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in apprehension of arrest for her alleged involvement in the offences U/s. 341/326/34 of IPC
 3. It is submitted by the learned counsel for the Petitioner that the narration in the FIR as regards the assault being made on the head by the present Petitioner is not consistent with the injury report. The injuries are on the chest and the knee and are simple in nature whereas the FIR describes the injury to be on the head.
 4. Keeping in view the submission of the parties, the nature of allegations as emerged from the materials on record, the circumstances appearing, the seriousness and gravity of the offences, while this court is not inclined to grant the anticipatory

bail, it is directed that in the event the Petitioner surrenders and moves for bail in connection with G.R Case No.233 of 2018 arising out of Baliana P.S. Case No.62 of 2018 pending in the court of learned J.M.F.C(O)., Bhubaneswar within a period of three weeks' from today, she shall be allowed to go on bail on such terms and conditions as would be deemed just and proper by the said court with further conditions that the Petitioner shall appear in person before the learned court below on each date of posting of the case with further condition as follows:

- (i). The Petitioner shall cooperate with the investigation and appear before the I.O. as and when required by the I.O;
- (ii). She shall not indulge in criminal activities while on bail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. The ABLAPL is disposed of accordingly.

(*Chittaranjan Dash*)
Judge

B.K Sahoo