

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15295 of 2022

***Sukamani Behera @ Sukanti
Behera & Another***

Petitioners

Mr.J.K. Majhi, Advocate

-versus-

State of Odisha

Opposite Party

Mr. Samaresh Jena, ASC

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
19.12.2022**

Order No.

04. 1. This matter is taken up through hybrid arrangement (virtual/physical) mode.
2. The petitioners having been implicated in C.T. Case No.636 of 2022 arising out of Basta P.S. Case No.266 of 2022 registered for alleged commission of offence under sections 341,324,307,506,34 I.P.C. pending in the Court of the learned J.M.F.C., Basta have filed this application under section 438 Cr.P.C. for grant of bail in the event of their arrest in the said case.
3. Heard learned counsel for the petitioners and learned counsel for the State.
4. Considering the submission, viewing the nature of accusations and other surrounding circumstances of the case, while being not inclined to grant anticipatory bail to petitioner

no.2 , I am inclined to grant anticipatory bail to petitioner no.1. Accordingly, it is directed that in the event the said Petitioner No.1 surrenders before the court in seisin of the case in connection with the aforesaid case, within three weeks hence and moves for her release on bail, she shall be released on bail on such terms and conditions as would be deemed just and proper by the said court.

It is, however observed that in the event the Petitioner No.2, namely, Sugan Behera, surrenders before the court in seisin of the case within a period of three weeks hence and moves for his release on bail, the same shall be considered on its own merit and disposed of in accordance with law without being influenced by this order during the first half of the day so as to enable the Petitioner in case necessity so arises, to approach the next higher forum in the second hour for its disposal in course of the day unless there stands any legal impediment. The case diary be made available at the cost of the Petitioner.

5. The ABLAPL is accordingly disposed of.
6. Issue urgent certified copy as per rules.

(D.Dash)
Judge