

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15728 of 2022

Sasmita Nayak

Petitioner
....
Mr. Debasis Mishra, Advocate

-versus-

State of Odisha

Opposite Party
....
Mr. Debasish Biswal, A.S.C.

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
20.12.2022**

Order No.

01.

1. Heard the learned counsels for the Petitioner and the State.
2. By means of this application, the Petitioner seeks grant of bail U/s.438 Cr.P.C. in apprehension of arrest for her alleged involvement in the offences U/s. 341/294/323/354/325/506/34, I.P.C. in connection with Khaira P.S. Case No.288 of 2022 corresponding to C.T. Case No.1098 of 2022 pending in the court of learned J.M.F.C., Soro.
3. Learned counsel for the Petitioner submits that the injuries allegedly inflicted to the injured are simple in nature.
4. Considering the submission of the learned counsel for the Petitioner, nature of allegations, the circumstances appearing, the seriousness and gravity of the offences, while this court is not inclined to grant anticipatory bail, it is directed that, in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C., Soro in the aforesaid C.T. Case 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, but subject to verification of injury if not found grievous.

5. If the injuries are found to be grievous, this order shall not be given effect to. However, if the learned Magistrate is satisfied that the injuries to be not grievous in nature and admits the Petitioner to bail, the following further conditions be imposed –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required;
- (ii) She shall not threaten, intimidate, terrorise, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner and shall not tamper with the prosecution evidence in any manner whatsoever, while on bail.
- (iii) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

6. The ABLAPL is disposed of accordingly.

(*Chittaranjan Dash*)
Judge

S.K. Parida