

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16143 of 2021

Sanibari Ram

....

Petitioner

Mr. B.K. Mishra, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. J.P. Patra,

Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

19.01.2022

Order No.

01.

This matter is taken up by video conferencing mode.

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

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with C.T. Case No.57 of 2021 arising out of Rasgovindpur P.S. Case No.258 of 2021 pending in the Court of learned J.M.F.C., Rasgovindpur for alleged commission of offence under section 52(a) of the Orissa Excise Act, 2008.

Perused the F.I.R.

Learned counsel for the State on instruction received from the Inspector in-charge of Rasgovindpur police station submitted that there is no criminal antecedent against the petitioner. He filed the written

instruction, which is taken on record.

Considering the submission made by the learned counsel for the petitioner that the offence is triable by Magistrate, the petitioner is a lady and taking into account the nature of accusation against her and keeping in view the proviso to section 437(1) of Cr.P.C., I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, she shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that she shall make herself available for interrogation by the I.O. as and when required and she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

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

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

(S.K. Sahoo)
Judge