

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16105 of 2022

Padma Harijan @ Padmabati ***Petitioners***
Harijan and another

Mr. T.K. Mishra, Advocate

-versus-

State of Odisha ***Opp. Party***
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.12.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State. Perused the case diary.
 3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
 4. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.387 of 2022, arising out of Dabugaon P.S. Case No.120 of 2022 pending in the court of learned J.M.F.C., Umerkote for commission of offences punishable under Sections 147/148/294/323/506/120-B/332/354-B/149, I.P.C.
 5. It is submitted by learned counsel for the petitioners that the petitioners are ladies and they have been falsely implicated in the present case. It is further submitted by learned counsel for the petitioners that on similar footing with the preset petitioners another co-accused persons have already been released on bail by this Court

in ABLAPL No.10033 of 2022 vide order dated 24.08.2022.

6. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is directed that in the event the petitioners surrender and move an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, they shall be released on bail on such terms and conditions as would be deemed just and proper with further conditions :-

I. The petitioners shall cooperate with the Investigating Officer as and when required for the purpose of investigation; and

Violation of any of the terms and conditions shall entail cancellation of bail.

6. It is further directed that the bail granted to the petitioner is subject to the condition that learned court below shall verify whether injuries sustained by the injured are grievous in nature. In the event it is found that the injury is grievous in nature, this bail order shall automatically stand revoked. Case diary along with injury report be made available at the time of surrender.

7. Accordingly, the ABLAPL is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge