

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16402 of 2022

Lala Tandi

....

Petitioner

Mr. Sushanta Kumar Joshi, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M. K. Mohanty, A.S.C.

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

23.12.2022

Order No.

01. 1. Heard the learned counsel for the Petitioner and the State.
2. By means of this application, the Petitioner seek grant of bail U/s.438 Cr.P.C. in apprehension of arrest for his alleged involvement in the offences U/s. 147/148/341/323/294/307/354/427/333/452/506/149 of IPC in connection with Tarva P.S. Case No.224 of 2020 corresponding to G.R. Case No. 222 of 2020 pending in the court of learned JMFC Tarva.
3. Learned counsel for the Petitioner submits that prima-facie the ingredients of the alleged offences are not made out as against the Petitioner.
4. Considering the submission of the learned counsel for the Petitioner, nature of allegations, the circumstances appearing and 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 JMFC Tarva in the aforesaid G.R. 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 criminal antecedents of the Petitioner and the injury if not found grievous.

5. If it is found that there is more than one antecedent to the credit of the present Petitioner or the injuries to be grievous, this order shall not be given effect to. However, if the learned Magistrate is satisfied that there is not more than one criminal antecedent of similar nature against the Petitioner and 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 so also tender an undertaking before the concerned I.O., that he would not resort to sabotage the action of the police henceforth and to be seen in and around the Police Station except for the grievance;
- (ii) she shall appear in person before the trial court on each date of posting of the case unless specifically exempted by the court concerned.
- (iii) shall not tamper with the prosecution evidence in any manner whatsoever, while on bail.
- (iv) Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

AKPradhan