

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16406 of 2022

Mamina @ Mamali Jena

....

Petitioner

Mr. Pitambar Jena, 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 learned counsel for the Petitioner and the State.
2. By means of this application under Section 438 Cr.P.C., the Petitioner seeks anticipatory bail apprehending her arrest on the alleged offence under Sections 363, in connection with Bansada P.S. Case No. 377 of 2022 corresponding to Special G.R. Case No. 875 of 2022 pending in the Court of learned Additional Sessions Judge-cum-Special POCSO Court, Bhadrak.
3. Having regard to the allegations in the F.I.R., there appears material in the case with regard to the offence under the POCSO Act and as such it is not desirable for this Court to grant the anticipatory bail. However, it is directed that in the event the Petitioner surrenders and moves for bail before the learned court below, the learned court in seisin over the matter shall dispose of the bail application of the Petitioner on its own merit being alive of the position of law on bail, as far as possible taking into

consideration the materials on record as well as other documents available on record, on the very same day, without being influenced by any observations made by this Court herein.

4. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

B.K Sahoo

