IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.12493 of 2024

Sabita Barada ..... ***Petitioner***

Represented By Adv. -
Rabindra Nath Barik

-versus-

State Of Odisha ..... ***Opposite Party***

Represented By Adv. –
U.C.Jena, A.S.C.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
19.12.2024

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel appearing for the Petitioner and learned Additional Standing Counsel appearing for the State-Opposite Party. Perused the materials placed before this Court.

3. The present bail application under Section 439 of Cr.P.C. has been filed by the Petitioner for regular bail in connection with T.R. No.1 of 2024, arising out of Sarankul P.S. No.68/2024, pending in the Court of learned Special Judge-cum-Addl. Sessions Judge, Odagaon, Nayagarh for alleged commission of offence punishable

under Sections 20(b) (ii) B of the N.D.P.S. Act.

4. It is stated by learned counsel for the Petitioner that initially the Petitioner was released on bail by this Court in BLAPL No.3575 of 2024 vide order dated 23.04.2024. He further submitted that pursuant to the aforesaid order, the Petitioner was released on bail. Thereafter, the Petitioner appeared before the learned trial court along with other co-accused person. He further contended that on that date, petition under Section 317 of Cr.P.C. were filed by two accused persons. He further submitted that while accepting the Petition under Section 317 of Cr.P.C. of one accused, the 317 application of the Petitioner was rejected and the Petitioner has been taken into custody and she is languishing in jail custody.

5. On perusal of the record it appears that one of the conditions on which the Petitioner was released on bail was that the Petitioner shall appear before the court on each and every date fixed. In such view of the matter, this Court is of the view that the learned trial court has not committed any illegality.

6. Considering the submissions made by learned counsel appearing for the Petitioner and further considering the fact that the Petitioner was earlier released on bail, this Court is inclined to release the Petitioner on bail.

7. Hence, it is directed that the Petitioner be released on bail in the aforesaid case on earlier bail bond. Further, it is made clear that the Petitioner shall not make any default in appearing before the trial court on the date on which the case has been posted subject to the condition of exemption of his appearance by the court under Section

317 of Cr.P.C.

8. The BLAPL is, accordingly, disposed of.

(A.K. Mohapatra)
Judge

Anil

Signature Not Verified
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Signed by: ANIL KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa
Date: 20-Dec-2024 15:02:51