



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**ABLAPL No.2100 of 2025**

***Saraswati Behera***

.....

***Petitioner***

Represented By Adv. -  
Surya Prakash Mangaraj

-versus-

***State Of Odisha***

.....

***Opposite Parties***

Represented By Adv. -  
Siva Mohanty, A.S.C.

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

**ORDER**  
**26.03.2025**

**Order No.**

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 498-A, 294, 325, 354-A, 420, 406/34 of I.P.C. read with Section 4 of DP Act in G.R. Case No.3528 of 2024 of the Court of learned S.D.J.M., Bhadrak arising out of Bonth P.S. Case No.176 of 2024.
4. Learned counsel for the Petitioner submitted that the present Petitioner is the maternal aunt of the husband of the informant. He further contended that some of the co-accused persons, who are family members and have been implicated at the instance of the



informant, have already been enlarged on bail in the meantime. Learned counsel for the Petitioner further submitted that the husband of the informant, who is the prime accused, has already been apprehended in the meantime. He further contended that the Petitioner belongs to the locality, therefore, there is no chance of her absconding.

5. Considering the aforesaid facts, there is no apprehension of arrest against the Petitioner.

While disposing of the application, this Court directs the Arresting Officer shall first explore the possibility of the applying the principles of Section 41-A of Cr.P.C. in the case of *Arnesh Kumar vs. State of Bihar* reported in *AIR 2014 SC 2756*, before arresting the Petitioner.

6. With the aforesaid observation and direction, the ABLAPL is disposed of.

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

( *A.K. Mohapatra* )  
*Judge*

Anil

Signature Not Verified

Digitally Signed  
Signed by: ANIL KUMAR  
SAHOO  
Reason: Authentication  
Location: High Court of Orissa  
Date: 27-Mar-2025 16:54:28