

(2021) 08 OHC CK 0133
In the Orissa High Court
Case No : Bail Application No. 1077 Of 2021

Shubhra Kundu

APPELLANT

Vs

Republic Of India (C.B.I)

RESPONDENT

Date of Decision : 26-08-2021

Acts Referred:

Citation : (2021) 08 OHC CK 0133

Hon'ble Judges : S. K. Sahoo, J

Bench : Single Bench

Advocate : Manas Mohapatra, Sarthak Nayak

Final Decision : Disposed Of

Judgement

Â S.K. Sahoo, J

I.A. No.902 of 2021

This matter is taken up through Hybrid Arrangement (Video Conferencing/ Physical Mode).

This is an application for extension of interim bail period as per order dated 11.08.2021 in I.A. No.497 of 2021.

Mr. Manas Mohapatra, learned Senior Advocate appearing for the petitioner submitted that as per the aforesaid order dated 11.08.2021 passed in I.A.

No.497 of 2021, the petitioner was granted interim bail for a period of two weeks from the date of release and she has been released on bail and the

period is expiring on 27.08.2021.

He further submitted that during the interim bail period, the petitioner attended her ailing mother-in-law and minor child of eight years of age and also

consulted doctor concerning her own health and during thorough health check up of her mother-in-law, the doctor had suggested for Web Pet CT

Scan which relates to chemo/radiation for cancer patient as the mother-in-law is suffering from uterus cancer. The petitioner also consulted Neuro

surveon for her own ailment who advised her for MRI and the MRI report indicates early degenerative spondyloarpathy of lumbo sacral spine

involving cervical spine for which further treatment is required and it was suggested to her that she might have to undergo spine surgery to overcome

severe back pain. The copies of the medical reports of the petitioner and her mother-in-law of the petitioner have been annexed to the interim

application. It is further argued that in the short period of fifteen days, the petitioner could not arrange any suitable and caring person to take care of

her minor child as the father of the child is in custody since last six years and in the absence of the parents, if the proper arrangement of the minor for

her upbringing is not made, the future of the child would be spoiled.

Mr. Mohapatra submitted that the interim bail period may be extended for one more month for the ends of justice so that the petitioner would be able

to settle her minor child, render proper medication to herself and to her mother-in-law.

Mr. Sarthak Nayak, learned Special Public Prosecutor appearing for the Republic of India has filed a copy of the affidavit along with the certain

documents, which are taken on record.

In the affidavit of the Deputy Superintendent of Police, C.B.I., it is mentioned that the medical condition of the petitioner is not that serious and the

certificates submitted by the petitioner are of a private hospital for which absolute reliance cannot be placed on such reports and there is nothing in the

MRI report to show that any special treatment or surgery is necessary. So far as the health condition of the mother-in-law of the petitioner is

concerned, in the affidavit, it is mentioned that the prescription which is attached is of a private hospital and she is having no serious ailment which

requires immediate action and only a test has been advised. It is further stated in the affidavit that the eldest son of the petitioner, who is a major can

take care of the minor child and there are servants including one lady so also the grandmother of the child, who can also take care of the child. It is

further stated that there is every likelihood that she would try her level best to unsettle the ongoing investigation by way of threatening or alluring the

witnesses and destruction of the evidence to be collected. Some statements have

