

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 168 of 2022

**1. Bamadeba Mallik @
Bama Mallik
2. Suratha Mallik
3. Duryadhan Mallik @
Pakhia.**

.... Petitioners

Mr.D.K. Sahoo, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr. D.K. Pani
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

31.01.2022

Order No.

01. This matter is taken up by video conferencing mode.

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with Nikirai P.S. Case No.215 of 2021 corresponding to G.R. Case No.2629 of 2021 pending in the Court of learned S.D.J.M., Kendrapara for alleged commission of offences under sections

341/323/294/506/354/325/307/379/34 of the Indian Penal Code.

Perused the F.I.R..

It is submitted by the learned counsel for the petitioners that the case arises out of a complaint petition. Relating to the incident dated 14.10.2021, the complaint petition was filed, which was forwarded by the learned S.D.J.M., Kendrapara to Inspector-in-charge of Nikirai police station on 22.10.2021 and accordingly, the first information report was registered on 06.12.2021. It is further submitted that there are no such materials to attract the ingredients of offences under sections 325 and 307 of the Indian Penal Code and there was misunderstanding between the parties, for which the case has been foisted and therefore, the bail application of the petitioners may be favourably considered.

Learned counsel for the State opposed the prayer for bail.

Considering the submission made by the learned counsel for the respective parties, the nature of accusation against the petitioners, the background of the case and after hearing the learned counsel for the State, I am inclined to release the petitioners on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioners in connection with the aforesaid case, they shall be

released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with one surety each for the like amount to the satisfaction of the arresting officer with further conditions that they shall make themselves available for interrogation by the I.O. as and when required and they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

Violation of any of the above conditions shall entail cancellation of bail.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

p

(S.K. Sahoo)
Judge