

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.217 of 2022

1. Bhagabat Mallik
2. Babaji Mallik
3. Renu Mallik
4. Sarojin Mallik @
Sarojini Mallik **Petitioners**
5. Chiku Mallik

Mr.D.K. Sahoo, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. Tapas Kumar Praharaj,
Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER
31.01.2022

संक्षिप्त न्यायो

Order No.

01.

This matter is taken up through video conferencing.

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 Mahakalpara P.S. Case No.218 of 2021 corresponding to G.R. Case No.2849 of 2021 pending before the learned S.D.J.M., Kendrapara for commission of alleged offences under sections 341, 337, 294, 427, 457, 380, 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that the petitioners and the informant are neighbours and due to

previous dispute between the parties, the case has been foisted against them, the offences are triable by Magistrate and therefore, the prayer for anticipatory bail may be favourably considered.

Learned counsel for the State opposed the prayer for anticipatory bail and submitted that petitioner No.2 Babaji Mallik has got one criminal antecedent.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner nos.1, 3, 4 and 5, I am inclined to release them on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner nos.1, 3, 4 and 5, namely, Bhagabat Mallik, Renu Mallik, Sarojin Mallik @ Sarajini Mallik and Chiku Mallik respectively 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 two sureties 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 any facts to the Courts or to the Investigating Officer.

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

So far as petitioner No.2 Babaji Mallik is concerned, considering the nature of accusation against him, while not inclining to grant anticipatory bail to him, it is observed that in the event petitioner no.2 surrenders and moves for bail, the

learned Courts below shall dispose of the same in accordance with law expeditiously. The case records shall be made available to the Courts concerned for disposal of the bail application.

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.

(S.K. Sahoo)
Judge

PKSahoo

