

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 234 of 2022

1. Sita Mallik
2. Mita Mallik
3. Tutu Mallik

.... **Petitioners**

Mr. A.C. Rath, *Advocate*

-versus-

State of Odisha

.... **Opp. Party**

Mr. A. Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

31.01.2022

Order No.

01.

This matter is taken up through Video Conferencing Mode.

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.2005 of 2021 arising out of Baranga P.S. Case No.168 of 2021 pending in the Court of learned J.M.F.C. (R), Cuttack for alleged commission of offences under sections 341/294/323/324/307/506/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that the petitioners and the informant are neighbours and there was previous dispute between the parties, for which the case has been foisted and the main allegation is against co-accused Pratap Mallick who was taken into custody and he has been enlarged on bail and petitioner no.1 is the wife, petitioner no.2 is the daughter and petitioner no.3 is son of the aforesaid Pratap Mallick respectively and there is no specific overt act alleged against them and therefore, the anticipatory 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 and since the main allegation is against co-accused Pratap Mallick who has been released on bail and petitioner nos.1 and 2 are ladies, keeping in view the proviso to section 437(1) of Cr.P.C. 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 anticipatory 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 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 Officer Order dated 7th January 2022.

(S.K. Sahoo)
Judge