

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.483 of 2022

1. Pramod Mallick @

Pankana Mallik

2. Chitrasen @ Alli Mallik

.... Petitioners

Mr. S.K. Padhi, Advocate

-versus-

State of Odisha

.... Opp. Party

Mr. A. Das

Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

02.02.2022

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 G.R. Case No.08 of 2022 arising out of Pipili P.S. Case No.585 of 2021 pending in the Court of learned J.M.F.C., Pipili for alleged commission of offences under sections 294/341/323/387/379/506/34 of the Indian Penal Code read with sections 25 and 27

of the Arms Act.

Perused the F.I.R.

Learned counsel for the State submitted that the petitioner no.1 Pramod Mallick @ Pankana Mallik has got two criminal antecedents.

In view of the available materials on record and the criminal antecedents against the petitioner no.1 Pramod Mallick @ Pankana Mallik, while not inclining to grant anticipatory bail to him, it is observed that in the event petitioner no.1 surrenders and moves for bail before the learned Court below within a period of four weeks from today, the same shall be disposed of by the Courts below as expeditiously as possible in accordance with law and if any co-accused has been released on bail in the meantime, the claim of parity shall be taken into account. The case diary be made available before the Court concerned for disposal of the case.

So far as petitioner no.2 Chitrasen @ Alli Mallik is concerned, considering the nature of accusation available on record against him and the case arises out of boundary dispute between the parties and the offences are triable by Magistrate and that there is no criminal antecedent against him, I am inclined to release him on anticipatory bail.

Accordingly, this Court directs that in the event of arrest of petitioner no.2, Chitrasen @ Alli Mallik in

connection with the aforesaid case, he shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that he shall make himself available for interrogation by the I.O. as and when required and he 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.

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(S.K. Sahoo)
Judge