

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 2025 of 2022

1. Prafulla Malik

2. Manguli Malik

3. Biju Malik

4. Raju Malik

5. Bini Malik

.... Petitioners

Mr.D.J. Sahoo, Advocate

-versus-

State of Odisha

.... Opp. Party

Mrs.Susamarani Sahoo,
Addl. Standing Counsel

CORAM:

JUSTICE S.K. SAHOO

ORDER

18.05.2022

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the 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 Kendrapara Sadar P.S. Case No.61 of 2022 corresponding to G.R. Case No. 298 of 2022 pending in the Court of learned S.D.J.M., Kendrapara for commission of alleged offences under sections 147/148/341/323/324/325/149 of the Indian Penal

Code.

Perused the F.I.R. annexed to the anticipatory bail application.

Learned counsel for the State has produced the injury report of the injured Padan Mallik from which it reveals that he has sustained grievous injuries and was hospitalized in S.C.B. Medical College and Hospital, Cuttack. The instruction is taken on record.

In view of the nature and gravity of accusation, while not inclining to grant anticipatory bail to the petitioners, liberty is granted to them to surrender and move for bail in the Court below within a period of four weeks from today in the event of which the learned Courts below shall dispose of the same in accordance with law. The case records shall be made available to the Courts concerned for disposal of the bail application. Since petitioner no.5 is a lady, while considering the bail application, the proviso to section 437(1) Cr.P.C. so far as petitioner no.5 is concerned shall be taken into account.

The ABLAPL stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge