

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2621 of 2022

**1. Ratikanta Mallick @
Nandu**

**2. Susanta Kumar
Mallick @ Buna**

.... Petitioners

Mr. S.M. Behera, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

ORDER

05.04.2022

Order No.

01. 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.

Learned counsel for the petitioners submits that though the case was originally registered under Cuttack Sadar police station, but after bifurcation, the said case is pending in 42-mouza police station, Bentkar.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with 42-mouza, Bentkar P.S. Case No.705 of 2021 corresponding to G.R. Case No. 3103 of 2021 pending in the Court of learned J.M.F.C. (Rural), Cuttack for commission of alleged offences under sections 294,323, 379, 427/34 of the Indian

Penal Code.

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

Considering the submission made by the learned counsel for the petitioners that the petitioners are the brothers of the informant, the dispute between the parties is relating to paternal properties, offences are triable by Magistrate and on 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 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.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge