

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2679 of 2022

1. Jayanti Mallick

2. Bijaya Mallick

3. Trinath Mallick

4. Panchu Mallick

5. Kuni Mallick

.... Petitioners

Mr. S.N. Mishra, Advocate

-versus-

State of Odisha

.... Opp. Party

*Mr. A.K. Beura,
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 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 Gop P.S. Case No.15 of 2022 corresponding to G.R. Case No.34 of 2022 pending before the learned J.M.F.C., Konark for commission of alleged offence under section 436 of the Indian Penal Code.

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

bail application.

In view of the nature and gravity of accusation against the petitioners nos.2 to 5, while not inclining to grant anticipatory bail to them, it is observed that in the event they surrender in the learned Court below and move 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.

So far as petitioner no.1 Jayanti Mallick is concerned, since she is a lady, keeping in view the proviso to section 437(1) of Cr.P.C., I am inclined to release her on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner no.1 in connection with the aforesaid case, she 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 she shall make herself available for interrogation by the I.O. as and when required and she 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

PKSahoo

