

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3028 of 2022

- 1. Sitanath Malik @ Shipa**
- 2. Basanti Malik**
- 3. Manoj Kumar Malik @**
Manua
- 4. Mata Malik**
- 5. Tanushree Malik**
- 6. Kusum Malik**
- 7. Nrusingh Malik**
- 8. Saraswati Malik**
- 9. Binu @ Binod Malik**
- 10. Pratap Malik**
- 11. Tapan Malik**
- 12. Tapas Malik**

Petitioners

Mr. A.N. Pattnaik, Advocate

-versus-

State of Odisha

Opp. Party

*Mr. J.P. Patra,
Addl. Standing Counsel*

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

ORDER

11.05.2022

Order No.

03. 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 Pattamundai P.S. Case No.112 of 2022 corresponding to G.R. Case No.112 of 2022 pending in the Court of learned J.M.F.C., Pattamundai for alleged commission of offences under sections 294/323/325/307/354/427/379/451/506/34 of the Indian Penal Code.

Perused the first information report annexed to the anticipatory bail application.

Learned counsel for the State submitted that one Kalpana Malik was sent for medical examination on police requisition and it was found that she has sustained simple injury. Though it is the prosecution case that during the occurrence, one Ghanashyam Malik also sustained injury but the said person was not available and that is why he could not be sent for medical examination on police requisition.

Learned counsel for the State further submitted that nothing is available in the case diary relating to the criminal antecedents, if any, against any of the petitioners.

Considering the submissions made by the learned counsel for the respective parties, the nature of injury sustained by the injured and the fact that the petitioners nos.2, 4, 5, 6 and 8 are ladies, I am inclined to release all 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 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.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge