

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3082 of 2022

1. Dipak Malik
2. Sandip Kumar Malik
3. Laxmidhar Malik
4. Paresh Khandei **Petitioners**

Mr. M. Basu, 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.

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

Learned counsel for the petitioners submitted that petitioner no.1 Dipak Malik, petitioner no.2 Sandip Kumar Malik and petitioner no.4 Paresh Khandei have already been arrested.

In view of such submission, this anticipatory bail application so far as petitioners nos.1, 2 and 4 has become infructuous and accordingly, disposed of.

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 Khantapada P.S. Case No.76 of 2022 corresponding to C.T. Case No.221 of 2022 pending in the Court of learned J.M.F.C. (Rural), Balasore for alleged commission of offences under sections 341/294/324/307/379/506/34 of the Indian Penal Code.

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

Learned counsel for the State has produced the injury reports of two injured persons, namely, Yubraj Jena and Sudhansu Jena and it appears that both of them have sustained simple injuries. The injury reports are taken on record.

Considering the submissions made by the learned counsel for the petitioners that the ingredients of the offence under section 307 of the Indian Penal Code are not attracted and taking into account the nature of accusation against the petitioner no.3, I am inclined to release the petitioner no.3 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner no.3 Laxmidhar Malik 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.

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



RKM