

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3231 of 2022

1. Pratap Chandra Mallik

@ Pratap Mallik

2. Biki Mallik

3. Bipin Mallik

4. Hemanta Mallik

5. Ramesh Chandra Mallik

6. Sagar Mallik

.... Petitioners

Mr. S.K. Jena, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr. A.K. Beura,
Addl. Standing Counsel*

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

ORDER

05.05.2022

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 Bari Ramachandrapur P.S. Case No.68 of 2022 corresponding to C.T. Case No.593 of 2022 pending in the Court of learned S.D.J.M., Jajpur for alleged commission of offences under sections

147/148/323/427/506/149 of the Indian Penal Code.

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

Learned counsel for the State on instruction submitted that in this case, the informant Swapna Kumar Rout is one injured person and he has sustained grievous injury and another injured is Subash Chandra Das and he has sustained simple injury. So far as injured Swapna Kumar Rout is concerned, learned counsel for the State placed his statement from which it appears that he was assaulted by co-accused Susant Mallik.

Considering the submission made by the learned counsel for the petitioners that there is no accusation of assault against the petitioners to the injured-informant, who has sustained grievous injury, 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 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



RKM