

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3809 of 2022

1. Bighneswar Malik

**2. Bipra @ Bipra Charan
Malik**

**3. Akash @ Akash Kumar
Malik**

4. Golekha Malik **Petitioners**

Mr.A.Mishra, Advocate

-versus-

State of Odisha

Opp. Party

*Mrs.Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
06.07.2022**

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 G.R. Case No.20 of 2022 arising out of Pattamundai P.S. Case No.20 of 2022 pending in the Court of learned S.D.J.M., Pattamundai for alleged commission of offences under sections 294/451/325/

427/380/307/436/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State has produced the injury report of one Hapi Panda which indicates that he has sustained two simple injuries. So far as the criminal antecedents are concerned, it appears from the instruction received that the petitioners nos.1, 2 and 4 have got criminal antecedents. The written instruction is taken on record.

Learned counsel for the petitioners submitted that one of the co-accused has already been released on bail after being taken into custody and the petitioners may be permitted to surrender in the learned Court below and move for bail and claim of parity may be taken into account.

Learned counsel for the State has no serious objection.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioners, while not inclining to grant anticipatory bail to the petitioners, it is observed that in the event the petitioners surrender in the Court below within a period of four weeks from today and move for bail, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and claim of parity with the co-accused, who is stated to have been released on bail,

shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge

RKM

