

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3850 of 2022

Md. Sonu Mallik @ Mahammad Mallik and others ***Petitioners***

Mr. B. Sahoo, Advocate

-versus-

State of Odisha

Opp. Party
Mr. S. Patra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
24.08.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
5. The petitioners are seeking pre-arrest bail in connection with G.R. Case No.175 of 2022, arising out of Nayagarh P.S. Case No.33 of 2022 pending in the court of learned S.D.J.M., 341/323/294/506/307/34, I.P.C.
6. It is submitted learned counsel for the petitioners that In the meantime, the petitioner no.1-Md. Sonu Mallik @ Mahammad Mallik and petitioner no.2-Mallik Ahetullah @ Mallik Ubedulla have been arrested and they have been released on bail by the learned court below. Hence, the bail application of the petitioner no.1 and petitioner no.2 has become infructuous.

So far as the petitioner no.3-Dilbar Mallik @ Dibar Mallik is concerned, the bail application of the said petitioner no.3 may be considered favourably.

7. Considering the nature of allegation, gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioner no.3-Dilbar Mallik @ Dibar Mallik. However, it is directed that in the event the petitioner no.3-Dilbar Mallik @ Dibar Mallik surrenders and moves an application for bail before the learned court in seisin over the matter within a period of three weeks from today in the aforesaid case, he shall be released on bail on such terms and conditions as would be deemed just and proper.

8. Accordingly, the ABLAPL is disposed of.

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

(*A.K. Mohapatra*)
Judge

Jagabandhu

