

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.6396 of 2022**

**1. Babita Mallik @  
Mallick** .... **Petitioners**  
**2. Biswajit Mallick**

*Mr.B.C.Parija, Advocate*

*-versus-*

**State of Odisha** .... **Opp. Party**

*Mr.Rajesh Tripathy,  
Addl. Standing Counsel*

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

**ORDER**

**05.07.2022**

**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 Mangalpur P.S. Case No.301 of 2022 corresponding to C.T. Case No.1138 of 2022 pending in the Court of learned S.D.J.M., Jajpur for alleged commission of offences under sections 341/323/294/506/34 of the Indian Penal Code.

Learned counsel for the State on instruction submitted that petitioner no.2 Biswajit Mallick has been served with notice as contemplated under section 41A of Cr.P.C. and he has complied with the terms of the notices and therefore, there is no apprehension of arrest of the petitioner no.2 in connection

with this case.

Considering the submission made by the learned counsel for the petitioners that the offences are triable by Magistrate, the nature of accusation against petitioner no.1 and keeping in view the proviso to section 437(1) of Cr.P.C., I am inclined to release petitioner no.1 on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, she 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 she shall make herself available for interrogation by the I.O. as and when required and she 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 any facts to the Courts or to the Investigating Officer.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

**( S.K. Sahoo )**  
**Judge**

PKSahoo