

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6550 of 2022

- 1. Subash Mahala**
- 2. Pitabas Mallik**
- 3. Suryamani Mallik @**
Gunduchi Mallik
- 4. Silan Mallik**
- 5. Rajesh Kumar Palei @**
Bipina Palei
- 6. Natabara Mallik**
- 7. Tirtha Mallik @ Nati**
Mallik @ Gita Mallik
- 8. Alok Rout**

.... **Petitioners**

Mr.A.R. Panda, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mr.Manoranjan Mishra,
Addl. Standing Counsel

CORAM:
JUSTICE S.K. SAHOO

ORDER

13.07.2022

Order No.

02. 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 C.T. Case No.996 of 2022 arising out of Mangalpur P.S. Case No.267 of 2022 pending in the

Court of learned S.D.J.M., Jajpur for alleged commission of offences under sections 452/323/324/506/325/379/307/427/34 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that one of the co-accused, namely, Bijay @ Sanjay Mallik has been taken into judicial custody and he has already been released on bail by the learned Sessions Judge, Jajpur in BLAPL No.269 of 2022 as per order dated 23.05.2022 and therefore, the anticipatory bail application of the petitioners may be favourably considered. The certified copy of the bail order is taken on record.

Learned counsel for the State opposed the prayer for anticipatory bail.

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

