

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7390 of 2022

Abhimanyu Mahalik and others ***Petitioners***
Mr.P.C.Jena, *Advocate*

-versus-

State of Odisha ***Opp. Party***
Mr. Sitikanta Mishra, *A.S.C.*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
20.07.2022

Order No.

01. 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. Perused the FIR and materials placed on record.
3. This is an application under Section 438, Cr.P.C. filed by the petitioners for anticipatory bail.
4. The petitioners seeking pre-arrest bail in connection C.T. Case No.347 of 2022, arising out of Basta P.S. Case No.126 of 2022 pending in the court of learned NGN-Cum-J.M.F.C., Basta for commission of offence punishable under Sections 376/120-B/354-A/354-B/506/509/109/34 of I.P.C.
5. It is submitted by learned counsel for the petitioners that one Nandi Mahalik is the principal accused against whom serious allegations are made in the F.I.R. So far as the present petitioners are concerned, they are only related to the principal accused and no way

connected with the present case, the only allegation against the present petitioner is that in the village panchayat meeting, they appeared to represent said Nandi Mahalik the principal accused. However, these persons defended the principal accused by saying that he has committed no wrong. Accordingly they have been arrayed as accused in this case.

6. Considering the nature of allegations and gravity of offence and the fact of the case, I am not inclined to grant anticipatory bail to the petitioners. However, it is observed that, in the event the petitioners surrenders before the learned NGN-Cum-J.M.F.C., Basta in C.T. Case No.347of 2022 corresponding to Basta P.S. Case No. 126 of 2022 within a period of three weeks from today, the petitioners shall be released on bail on such terms and conditions as the learned Magistrate may deem fit and proper.

7. Accordingly, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge