

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL NO.8189 OF 2021

***Sudarsan Mahalik @ Gura
Mahalik & Others***

.... Petitioners

Mr.P.K. Jena, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. S. Jena, ASC.

**CORAM:
MR. JUSTICE D.DASH**

**ORDER
02.08.2022**

Order No.

- 02.
1. This matter is taken up through hybrid arrangement (virtual / physical) mode.
 2. Learned counsel for the Petitioners submits that here in the case, these Petitioners being the parents and uncle of the accused-Rakesh Mahalik against whom the allegations as to commission of principal offence run have been unnecessarily arraigned in the case being falsely assigned with the role having no nexus with the commission of the said offence. It is further submitted that the attempt to implicate these Petitioners in the above manner is only to harass the whole family. In view of all the above and in the absence of any such impediment; he urges for grant of bail to the Petitioners.
 3. Learned Counsels for the State while not disputing the position that here as against accused- Rakesh, the allegations in

respect of commission of the principal offence run; however, opposes the move of the Petitioners in view of their role.

4. Considering the submissions and on going through the nature of accusations; further keeping in view the surrounding circumstances of the case as also concerning the Petitioners; it is directed that in the event the Petitioners surrender before the Court in seisin of the case in connection with Khantapada P.S. Case No.161 of 2021 corresponding to C.T. Case No.239 of 2021 pending on the file of learned J.M.F.C.(R), Balasore within three weeks hence and move for their release on bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the said Court in seisin of the case with further condition that they will not threaten or terrorize the prosecution witnesses including the victim in any manner.

5. The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per rules.

**(D. Dash),
Judge.**