

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14707 of 2022

Dinabandhu Mallik

.... ***Petitioner***
Mr. R.N Rout, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K Mohanty, ASC.

**CORAM:
JUSTICE CHITTARANJAN DASH**

Order No.

**ORDER
01.12.2022**

- 01.
1. Heard learned counsel for the Petitioner and learned counsel for the State.
 2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioner in apprehension of arrest for his alleged involvement in the offences U/s. 341/323/324/307/353/506/294/336/427/149/147/148 of IPC & Section-4 P.D.P.P Act.
 3. Learned counsel for the Petitioner submits that in the self same incident this Court in ABLAPL No. 2334 of 2022 have been pleased to allow the release of the co-accused persons.
 4. Keeping in view the above submission of the parties, the fact that the co-accused persons have been released on bail being in the same footing, the nature of allegations as emerged from the materials on record, the circumstances appearing, the seriousness and gravity of the offences, while this court is not inclined to grant the anticipatory bail, it is directed that in the event the Petitioner surrenders and

moves for bail in connection with C.T Case No.420 of 2022 arising out of Binjharpur P.S. Case No.127 of 2022 pending in the court of learned S.D.J.M., Jajpur within a period of three weeks' from today, he shall be allowed to go on bail on such terms and conditions as would be deemed just and proper by the said court with further conditions that the Petitioner shall appear in person before the learned court below on each date of posting of the case with further condition as follows:

- (i). The Petitioner shall cooperate with the investigation and appear before the I.O. as and when required by the I.O;
- (ii). He shall not indulge in criminal activities while on bail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. It is made clear that the learned Court below shall verify the criminal antecedent of the Petitioner, if necessary by admitting the Petitioner to bail provisionally till the information is received and in case more than one antecedent is noticed, the order of this Court shall not be given effect to and the court shall be free to deal with matter of bail according to its merit without further reference to the present.

6. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

B.K Sahoo