

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

**ABLAPL NO.15283 OF 2021**

***Sarat Chandra Mallick***

....

***Petitioner***

Mr.A. Tripathy, Advocate

*-versus-*

***State of Odisha***

....

***Opposite Party***

Mr. S.K. Nayak, AGA.

**CORAM:**

**MR. JUSTICE D.DASH**

**ORDER**

**21.09.2022**

**Order No.**

- 02.
1. This matter is taken up through hybrid arrangement (virtual / physical) mode.
  2. Learned Counsel for the Petitioner submits that here in the case, the Petitioner being the father of the accused Bikash 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 the Petitioner in the above manner is only to harass him. In view of all the above and in the absence of any such impediment; he urges for grant of bail to the Petitioner.
  3. Learned Counsels for the State as well as the Informant while not disputing the position that here as against accused-Bikash, the allegations in respect of commission of the

principal offence run; however, opposes the move of the Petitioner in view of his 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 Petitioner; it is directed that in the event the Petitioner surrenders before the Court in seisin of the case in connection with Khandapada P.S. Case No.234 of 2021 corresponding to G.R. Case No.228 of 2021 pending on the file of learned S.D.J.M., Khandapada within three weeks hence and moves for his release on bail, he 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.**