

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.708 of 2021

Abhaya Kumar Mallick

....

Appellant

Mr. Siti Kanta Mishra,
Advocate

-versus-

State of Odisha and another

....

Respondents

Mr.S.K.Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

25.01.2022.

Order No.

02.

1. This matter is taken up through virtual mode.
2. The Appellant's application for bail being rejected by the court below, he has approached this Court in the present appeal. Notice of the appeal has already been served upon the informant as informed by the learned State counsel. However, there is no appearance from his side. As such the matter is taken up for hearing on the basis of the materials available on record.

3. Heard Mr. Siti Kanta Mishra, learned counsel for the Appellant and Mr. S.K.Mishra, learned Addl. Standing Counsel for Respondent No.1.

4. The Appellant is in custody since 24th November, 2021 in connection with Kuakhia P.S. Case No.46/2021 corresponding to C.T. Spl. No.18/2021 pending in the court of learned District and Sessions Judge-cum-Special Judge, Jajpur for the alleged commission of the offence under Sections 147/148/341/323 /324/307/294/506/379/149 of I.P.C. and Section 3 (1) (r)/3(2)(va) of the S.C. and S.T.(PA) Act.

5. Having regard to the submissions made, the materials on record and the fact that all other co-accused persons, who stand on the similar footing, have already been released on bail by this Court vide order dated 10th November, 2021 passed in CRLA No.429/2021 and also by the order passed by court below, I am inclined to allow the prayer for bail.

6. Let the Appellant- Abhaya Kumar Mallick be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter including the condition that he shall appear before the court below on each date of posting of the case without fail.

7. The CRLA is disposed of.

8. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021 and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

AKB



(Sashikanta Mishra)
Judge