

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

**ABLAPL No.16669 of 2021**

**1. Kanhu Mallik @ Kanhu Charan Mallik**  
**2. Mangu Mallik**  
**3. Pintu Mallik**  
**4. Biswajita Mallik**  
**5. Prasant Mallik**  
**6. Manu Mallik**  
**7. Shanti Mallik**  
**8. Kapil Mallik**  
**9. Benu Mallik**  
**10. Rali Mallik**  
**11. Amrita Mallik**  
**12. Tilottama Mallik**  
**13. Akshay Mallik**  
**14. Shankuntala Mallik**  
**15. Purna Mallik**  
**16. Shusama Mallik**

**Petitioners**

Mr. G.R. Mohanty, Advocate

-versus-

**State of Odisha**

**Opp. Party**

Mr. A.K. Beura,  
Addl. Standing Counsel

**CORAM:**

**JUSTICE S.K. SAHOO**

**ORDER**

**24.01.2022**

**Order No.**

01. This matter is taken up by video conferencing mode.

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.924 of 2021 arising out of Gop P.S. Case No.593 of 2021 pending in the Court of learned J.M.F.C., Konark for alleged commission of offences under sections 147/148/294/341/323/324/427/336/379/436/149 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the State submitted that in this case, three persons were sent for medical examination on police requisition and it was found that Bijay Mallik and Sadhu Mallik have sustained no injury though they complained pain on different parts of their body but so far as injured Panchu Mallick is concerned, he was referred to AIIMS Hospital, Bhubaneswar and his injuries were grievous in nature and he was treated for seven days at hospital. He further submitted that the ingredients of the offence under section 307 of the Indian Penal Code are clearly made out against the petitioner no.15. He placed the statement of Panchu Mallik, who stated that petitioner no.15 and one Sukant Mallik assaulted him by means of crowbar.

In view of the nature of accusation against the petitioner no.15 Purna Mallik, I am not inclined to grant him anticipatory bail. Accordingly, his prayer for anticipatory bail stands rejected.

So far as petitioners nos.1 to 14 and 16 are concerned, in view of the fact that there is no specific overt act against them and the background of the case, I am inclined to release them on anticipatory bail. Accordingly, this Court directs that in the event of arrest of petitioner nos.1 to 14 and 16, namely, Kanhu Mallick @ Kanhu Charan Mallik, Mangu Mallik, Pintu Mallik, Biswajita Mallik, Prasant Mallik, Manu Mallik, Shanti Mallik, Kapil Mallik, Benu Mallik, Rali Mallik, Amrita Mallik, Tilottama Mallik, Akshay Mallik, Shankuntala Mallik and Shusama Mallik respectively in connection with the aforesaid case, they shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that they shall make themselves available for interrogation by the I.O. as and when required and they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer.

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

So far as petitioner no.15 Purna Mallik is concerned, it is observed that in the event he surrenders in the Court below and moves for bail

before the learned Court below within a period of four weeks from today, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7<sup>th</sup> January 2022.

RKM

