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

**ABLAPL No.9861 of 2026**
**CNR No. ODHC010639962026**

***1. Kabita Mallik*** …. ***Petitioners***
***2. Jiban @ Jeevan Mallik***
***3. Radha @ Jhumuka Rani Mallik***
***4. Bhakta @ Bhaktikanta Mallik***
***5. Mukti @ Muktikanta Mallik***

Mr. Md. G. Madani, Advocate

*-versus-*

***State of Odisha*** …. ***Opposite Party***

Mr. A.K. Pati, ASC

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**17.11.2026**

**Order No.**

**03.** 1. Heard learned counsel for the Petitioners and learned counsel for the State.

2. The Petitioners are seeking pre-arrest bail in connection with G.R. Case No.380 of 2026 pending on the file of learned J.M.F.C., Cognizance taken No.2, arising out of Bhandaripokhari P.S. Case No.388 of 2026 for commission of offences punishable under Sections 115(2)/109(1)/ 351(3)/ 3(5) of B.N.S. Act 2023.

3. While opposing the prayer for pre-arrest bail, learned counsel for the State submits that though the injured has suffered several injury out of which one is grievous and taking into account the manner in which the assault was affected and keeping in view of the accusation under Section 3(5) of BNS, no leniency ought to be shown since segregation of the assault is not possible.

4. Learned counsel for the Petitioners on other hand submits that considering the omnibus nature of allegations, the Petitioners may be enlarged on bail.

5. This Court perused the statement of the Informant.

6. Considering the same, this Court is not inclined to entertain the application for pre-arrest bail in respect of the Petitioner Nos.4 & 5 (Bhakta @ Bhaktikanta Mallik & Mukti @ Muktikanta Mallik). However, in the event the Petitioner Nos.4 & 5 surrender before the learned Court in seisin and move application for their release on bail, the same shall be considered on its own merit.

7. So far as the Petitioner Nos.1,2,3(Kabita Mallik, Jiban @ Jeevan Mallik and Radha @ Jhumuka Rani Mallik) are concerned, this Court directs that on surrendering within three weeks hence and moving

for bail, the Petitioner Nos.1,2,3(Kabita Mallik, Jiban @ Jeevan Mallik and Radha @ Jhumuka Rani Mallik) shall be released on bail by the learned Court in seisin on such terms as deemed just and proper.

8. It is needless to state that the Petitioners Nos.1,2,3 shall cooperate with the ongoing investigation.

9. Accordingly, the ABLAPL stands disposed of.

***(V. NARASINGH)***
***Judge***

Soumya

Signature Not Verified
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Signed by: SOUMYA RANJAN SAMAL
Designation: Sr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 18-Nov-2026 18:10:10