



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.1418 of 2025

Mithun Malik

....

Petitioner

Mr. A.K. Sahoo, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Panigrahi, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

27.03.2025

Order No.

02.

1. Heard learned counsel for the Petitioner and learned counsel for the State
2. The Petitioner is seeking pre-arrest bail in connection with G.R. Case No.545 of 2024 pending in the Court of learned J.M.F.C (CT) Court, Kendrapara, arising out of Nikirai P.S. Case No.394 of 2024 for commission of offence punishable under Sections 296/ 115(2)/ 118(2)/ 109/351(2)/351(3)/3(5) of BNS.
3. It is submitted by the learned counsel that since the injured has suffered injuries on account of overt act by the co-accused, the Petitioner may be protected by pre-arrest bail.
4. Learned counsel for the State on perusal of the case diary though does not oppose such submission but submits that the manner in which the assault has taken place and the Petitioner had actively participated, he ought not to be released on pre-arrest bail.



5. It is stated by the learned counsel that the Petitioner does not have any criminal proclivity.

6. Taking note of the nature of allegations, it is directed that on surrendering within three weeks hence and moving for bail, the Petitioner shall be released on bail by the learned Court in seisin on such terms as deemed just and proper subject to verification of criminal antecedents.

If it comes to fore that the Petitioner has any criminal antecedent, this order shall not be given effect to.

7. Accordingly, the ABLAPL stands disposed of.

(V. NARASINGH)
Judge

PKS

Signature Not Verified

Digitally Signed
Signed by: PRADEEP KUMAR SWAIN
Reason: Authentication
Location: Orissa High Court, Cuttack
Date: 28-Mar-2025 16:19:45

