



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No.128 of 2023

Bikram Sekhar Mallik

....

***Appellant/
Petitioner***

Represented by Adv.-

Mr. Devashis Panda, Advocate

-versus-

State of Odisha

....

***Respondent/
Opp. Party***

Represented by Adv.-

Mr. Jateswar Naik,
Additional Govt. Advocate

CORAM:

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

AND

HON'BLE MR. JUSTICE SIBO SANKAR MISHRA

ORDER

Order No.

25.02.2026

(Hybrid mode)

I.A. No. 506 of 2026

- 13.
1. This is an application for interim bail filed by the convict-appellant for four to eight weeks on the ground that his late father's 1st death anniversary is to be observed tomorrow (26.02.2026) and some traditional rituals like 'shradha' to be performed at Triveni Sangam at Allahabad followed by 'pinda dan' at Gaya and Puri.
 2. Heard learned counsel for the appellant and learned counsel for the State-Respondent.
 3. The appellant-petitioner has been convicted under



sections 302/34 of the Indian Penal Code and sections 25(I-A)/27(2) of the Arms Act, and was sentenced to undergo rigorous imprisonment for life and to pay a fine of Rs.10,000/- (rupees ten thousand) in default, to undergo R.I. for six months for the offence under sections 302/34 of the Indian Penal Code and further sentenced to undergo R.I. for a period of five years and to pay a fine of Rs.5,000/- (rupees five thousand), in default to undergo R.I. for three months for the offence under Section 25(I-A) of the Arms Act and sentenced to undergo R.I. for a period of seven years and to pay a fine of Rs.5,000/- (rupees five thousand), in default to undergo R.I. for three months for the offence under Section 27(2) of the Arms Act and all the substantive sentences shall run concurrently, as directed by the learned Additional Sessions Judge, Aska in S.T. Case No.41 of 2013.

4. On 12.03.2025, this Court admitted the appellant to interim bail for a period of two weeks to attend the obsequie ceremony of his father, who died on 08.03.2025.

Mr. Panda, learned counsel for the appellant submits that the appellant was released on interim bail vide order dated 12.03.2025 and after availing the said interim bail period, the appellant had surrendered before the court below at right time and there is no complaint regarding misuse of the liberty granted by this Court. Therefore, he submits that the appellant be enlarged on interim bail to perform the rituals of 1st death anniversary of his late



father.

5. Pursuant to the order of this Court, the learned State Counsel has placed on record the written report dated 17.02.2026 furnished by the IIC, Gangapur P.S. after due verification, which reads thus:-

".....That in the strength of I.A. no. 792/25 the convict Bikram Mallick S/o-Prabhakar Biswal @ Mallick of village Chatula PS-Gangapur Dist-Ganjam has been released on interim bail from 18.03.25 to 30.03.25 to attend the funeral ceremony of his later father Prabhakar Biswal @ Mallick. During his interim bail period the convict Bikram Mallick has been provided tight security for 24 hours near his house and nearby periphery areas by deputing staffs and officers, as there is apprehension of life threat against the life convict Bikram Mallick. Further as Annual Higher Secondary examination and Annual HSC Examination is going on in different centres of the district and there is scarcity of forces/man power in the district. Hence, I pray to my Hon'ble Court the life convict may kindly be allowed 3 to 4 days of interim bail to attend the first death anniversary of his father."

Relying upon the aforementioned report furnished by the police, the learned State Counsel vehemently opposed for grant of interim bail to the appellant on the ground that there may be law and order situation, if the appellant is released on interim bail. He further submits that there is scarcity of staff in view of the ongoing H.S.C. examination.

The apprehension of law and order situation is concerned, Mr. Panda, learned counsel for the appellant submits that while the appellant was admitted to interim bail at the time of death of his father, no such complaint



was received. In so far as the scarcity of the police are concerned, that cannot be a ground to deprive the appellant of his right.

6. Taking into consideration the aforementioned, we are inclined to admit the appellant on interim bail for a period of four days from the date of his release. Since the 1st death anniversary ritual of his late father is to be held tomorrow, i.e., 26.02.2026, he shall be released forthwith on the basis of the downloaded copy of this order. During the interim bail period, the local police are directed to keep a close watch on the appellant.

7. For the above period, let the appellant-petitioner be released on interim bail in the aforesaid case on furnishing bail bond of Rs.50,000/-(rupees fifty thousand) with one local solvent surety for the like amount to the satisfaction of the learned trial Court, subject to condition that while on interim bail the appellant-petitioner shall not indulge in any criminal activities in any manner and any other condition to be imposed by the learned trial court as deem fit and proper in the facts and circumstances of the case. The convict-appellant shall surrender before the learned court below positively on Monday (02.03.2026).

8. Violation of any of the terms and conditions shall entail cancellation of the interim bail.

9. Accordingly, the I.A. is disposed of.

10. Issue urgent certified copy of this order as per rules



in course of the day.

(Manash Ranjan Pathak)
Judge

(Sibo Sankar Mishra)
Judge

CRLA No.128 of 2023

- 14.
1. List this matter after one week.
 2. Learned counsel for the appellant shall file the Surrender Certificate of the appellant on the next date.

(Manash Ranjan Pathak)
Judge

(Sibo Sankar Mishra)
Judge

Ashok/Swarna