



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No. 3893 of 2026

1.Sisir Kumar Mallick @ **Petitioners**
Sisira Mallik
2.Debendra Nath Swain
@ Debendra Swain

Mr. S.R. Rout, Advocate

-versus-

State of Odisha **Opposite Party**
Mr. S. Panigrahi, ASC

BLAPL No. 4464 of 2026

Biswajit Mallick @ Papu **Petitioner**
Mallick

Mr. S.R. Rout, Advocate

-versus-

State of Odisha **Opposite Party**
Mr. S. Panigrahi, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
08.05.2026

Order No.

- 02.** 1. Since both the BLAPLs relate to the same P.S. (Niali P.S. Case No.21 dated 14.02.2017), on the consent of the parties, they are taken up together and disposed of by this common order.
2. Heard learned counsel for the Petitioners and learned counsel for the State.



3. The Petitioners are accused in connection with G.R. Case No.241(B) of 2017 pending on the file of learned J.M.F.C., Niali arising out of **Niali P.S. Case No.21 dated 14.02.2017** for commission of offence alleged under Sections 147/148/149/302/435/120-B of IPC.

4. Learned counsel, on instruction, submits that except the present BLAPs, no other bail application of the Petitioners relating to the aforementioned P.S. case is pending in any other Court.

5. Being aggrieved by the rejection of their application for bail U/s.483 of the BNSS by the learned 3rd Additional Sessions Judge, Cuttack by order dated 17.04.2026 in the aforementioned case, the present BLAPs have been filed.

6. It is submitted by the learned counsel for the Petitioners that the Petitioners along with others were cited as accused for causing the death of one Surendra Nayak.

7. It is submitted that taking into account the omnibus nature of allegations and since many of the co-accused persons have been released on bail whose orders are on record at Annexure-3 of the bail applications and since the present Petitioners are at all fours with the said co-accused, they may be released on bail.



8. It is submitted that the Petitioners do not have any criminal antecedent.
9. Learned counsel for the State opposes the prayer for bail.
10. On perusal of the Case Diary and examination of the statement of Pratap Bhoi-C.W.21 and Chandan Bhoi-C.W.22, it is seen that the persons committed the over act has been specifically mentioned wherein the names of the Petitioners do not find place.
11. Considering the same and that the Petitioners do not have any criminal antecedent, this Court directs the Petitioners to be released on bail on such terms to be fixed by the learned Court in seisin so as to ensure their presence on each date of trial.
12. Additionally, it is directed that Petitioners shall not in any way try to intimidate the victim/ Informant and his family.
13. It shall be open for the Informant/prosecution to seek variance of this order in the event there is any threat perception.
14. Accordingly, the BLAPLs stand disposed of. U.C.C as per rules.

Signature Not Verified

Digitally Signed
Signed by: AYESHA ROUT
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 09-May-2026 15:00:42



(V. NARASINGH)
Judge