



IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.6202 of 2026

Sushanta Barik @ Susanta Barik ***Petitioners***
and others

Represented by Adv. –

Mr. Aparesh Bhoi

-versus-

State of Odisha ***Opposite Party***

Represented by Adv. –

Mr. D.K. Sahoo, AGA

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

17.06.2026

Order No.

01. 1. This matter is taken up through virtual mode.
2. Heard learned counsel for the Petitioners as well as learned Additional Government Advocate for the State-Opposite Party. Perused the Anticipatory Bail Application as well as the F.I.R.
3. The present application has been filed for releasing the Petitioners on anticipatory bail for alleged commission of offences under Sections 296/115(2)/351(2)/3(5) of B.N.S., 2023 read with Section-3(1)(r)/3(1)(s)/3(2)(va) of the S.C. & S.T. (PoA) Act, 1989. However, in view of the bar contained under Sections 18 as well as 18-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the present application under



Section 482 of B.N.S.S., 2023 is not maintainable. The provisions of Section 482 of B.N.S.S., 2023 is not applicable to the case registered involving an offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4. Further, this Court has also elaborately discussed the issue in the case of **Pramod Kumar Ray and others-vrs.-State of Odisha**, reported in **(2017) 67 OCR 309**. In the light of the principle laid down by this Court in **Pramod Kumar Ray** (supra), the present bail application is being disposed of with the following observations.

5. The Petitioners shall surrender before the learned Special Judge, SC/ST, Balasore in Special Case No.43/101 of 2026, arising out of Bhograi P.S. Case No.263 of 2025, on or before 10.07.2026. Seven days before the Petitioners surrender before the said Court, their counsel shall serve a copy of the bail application or such number of copies of the bail application on the learned Public Prosecutor/Special Public Prosecutor, as required by him, for the purpose of notice to the victim or his/her counsel or dependent.

6. Further, it is directed that on advance intimation the case diary and other relevant materials be made available to the court in seisin over the matter by the date of surrender. The court in seisin over the matter is further directed to consider the case of the Petitioners in accordance with law and shall dispose of the bail



application on the very same day.

7. Till the date of surrender of the Petitioners as stipulated in this order, the Petitioners shall not be arrested in connection with the aforesaid case.

8. The ABLAPL is, accordingly, disposed of.

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Vacation Judge

Debasis