



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLA Nos. 1053 & 929 of 2024
CNR Nos. ODHC010734982024 & ODHC010675192024

(In the matter of an appeal U/S.14-A(2) of SC & ST
(PoA) Act).

Md.Sonu @ Md. Arif Ansari ... Appellants
(In CRLA No.1053 of 2024)
Md. Aftab @ Fattu
(In CRLA No.929 of 2024)

-versus-

State of Orissa and another ... Respondents

For Appellants : Mr.S.Mohanty, Advocate
(In CRLA No. 1053 of 2024)
Mr.D.P.Mishra, Advocate
(In CRLA No. 929 of 2024)

For Respondents : Mr. C.Mohanty, Addl. PP

CORAM: JUSTICE G. SATAPATHY

DATE OF HEARING & JUDGMENT:09.09.2026(ORAL)

G. Satapathy, J.

1. These two Criminal Appeals in the nature of bail U/S.14-A of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989 together with amendment Act, 2016 (in short, "the Act") is directed against the impugned order dated 06.09.2024 passed in Special GR Case No.12/21 of 2023 by which the learned 1st Addl. District & Sessions Judge, Sambalpur,
CRLA Nos.1053 of 2024 & another



has refused to grant bail to the appellants in connection with Town PS Case No.124 of 2023, for commission of offences U/Ss. 147/ 148/ 323/ 326/ 302/ 307/ 153A/ 506/149 of IPC r/w Section 3(1)(r)/ 3(2)(v)(va) of the Act, on the main allegation of rioting, along with co-accused persons being armed with deadly weapons and committing murder of Chandramani Mirdha and injuring Kalia @ Biswanath Sikka by assaulting them in prosecution of their common object.

2. Heard Mr.Surendra Mohanty, learned counsel appearing virtually for the appellant in CRLA No. 1053 of 2024; Mr. Dibya Prakash Mishra, learned counsel appearing virtually for the appellant in CRLA no. 929 of 2024 and Mr.C.Mohanty, learned Addl. PP in the matter and perused the record. None appears for the informant/victim despite being duly intimated as apprised by learned Addl. PP.

3. The appellants in these two criminal appeals have sought for bail on the ground of delay in commencement of trial, but there appears not only



direct allegation against the appellants for committing murder of one person and injuring another, but also there appears eye witness account to the occurrence. No doubt, some of the co-accused have been granted bail, but the eye witnesses have specifically stated the names of the present appellants as alleged assailants. Besides, the appellant-Md. Sonu @ Md. Arif Ansari is having ten criminal antecedents which have not been disclosed by the appellant in his appeal. In the context of material facts, this Court is fortified with the decision in ***Munnesh Vrs. State of Uttar Pradesh; 2025 SCC OnLine SC 1319***, wherein the Apex Court at Paragraph-9 has held as under:-

"9. Xxx xxx xxx, since the petitioner has suppressed material facts with regard to his involvement in criminal cases, he is not entitled to the discretionary relief of bail. Xxx xxx xxx".

4. In the aforesaid facts and circumstance and on consideration of materials placed on record and the eye witnesses being yet to be examined, this Court does not consider it proper to admit the appellants to bail at this stage.



5. Accordingly, both the CRLAs stand dismissed. Looking at the custody period of the appellants, the learned Court in seisin over the matter is requested to proceed with the trial in this case, if there is no other legal impediment and the learned Public Prosecutor is hereby requested to impress upon the Forensic Laboratory to submit CE report and the Material Objects at the earliest to the learned trial Court. The concerned trial Court is also requested to verify as to whether the MO and CE report has already been submitted to the learned Court who had sent the exhibits to FSL.

A copy of this order be immediately transmitted to the learned Court in seisin over the matter for reference.

(G. Satapathy)
Judge

Signature Not Verified

Digitally Signed
Signed by: KISHORE KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa
Date: 09-Sep-2026 19:47:55
Orissa High Court, Cuttack,
Dated the 9th day of September, 2026/Kishore