

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 14561 of 2023

Sanjay Swain & Ors

....

Petitioners

*Mr. D.K.Sahoo,
Advocate*

-Versus -

State of Odisha

....

Opposite Party

Additional Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

12.12.2023

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Addl. Standing counsel for the State.
3. The petitioners are apprehending arrest in connection with Boudh P.S. Case No. 420 of 2023 corresponding to Special Case No. 36 of 2023 pending in the court of the learned District and Sessions Judge-cum-Special Court under (SC & ST)(PoA)Act, Boudh.
4. It is noticed that the allegations under Section 3 (1)(r)/3(1)(s)/3(2)(va) of the S.C. and S.T. Act have been made along with offences under the IPC in the F.I.R. As such, the application for anticipatory bail is ordinarily not maintainable.
5. In view of the order passed by this court in the case of **Pramod Kumar Ray and others v. State of Odisha**, reported in

(2017) 16 OCR 309, the ABLAPL is disposed of directing the petitioners to surrender before the learned District and Sessions Judge-cum-Special Court under (SC & ST)(PoA)Act, Boudh, in the aforesaid case within two weeks from today. It is further directed that seven days before such surrender, the petitioners shall cause required copies of the bail application to be served on learned special Public Prosecutor for serving notice on the victim.

6. In the event of surrender of the petitioners as aforesaid, they shall be released on interim bail, by learned court below for such duration and on such terms and conditions as it may deem fit and proper to impose.

7. The bail application shall be finally disposed of by learned Court below within two weeks from the date of appearance of the victim.

8. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge

deepak