

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2657 of 2022

1. Rameswar Bharati
2. Mania @ Manibhadra
Bharati
3. Bhagaban Aran
4. Peta @ Umakanta Aran
5. Kali @ Ramesh Ch.
Padihari

.... **Petitioners**

Mr.G.Singh, Advocate

-versus-

State of Odisha

.... **Opp. Party**

Mr. Arupananda Das
Addl. Government Advocate

CORAM:
JUSTICE S.K. SAHOO

ORDER

10.05.2022

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Learned counsel for the State on instruction submitted that the notice on the informant is sufficient.

None appears on behalf of the informant.

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C.

for grant of anticipatory bail to the petitioners in connection with Agarpada P.S. Case No.61 of 2022 corresponding to S.C./S.T. Case No.55 of 2022 pending in the Court of learned Special Judge, Bhadrak for alleged commission of offences under sections 341/294//323/325/379/506/34 of the Indian Penal Code read with sections 3(1)(r)(s)/3(2)(va) of the S.C. & S.T. (PoA) Act.

Perused the F.I.R.

Considering the submission made by the learned counsel for the State that petitioner no.1 Rameswar Bharati has got three criminal antecedents and petitioner no.2 Mania @ Manibhadra Bharati has got five criminal antecedents, while not inclining to grant anticipatory bail to them, it is observed that in the event the petitioner no.1 Rameswar Bharati and petitioner no.2 Mania @ Manibhadra Bharati surrender in the Court below within a period of four weeks from today and move for bail, the same shall be disposed of as expeditiously as possible by the Court below in accordance with law. The case records shall be made available to the Court concerned.

So far as petitioners nos.3 to 5, namely, Bhagaban Aran, Peta @ Umakanta Aran and Kali @ Ramesh Ch. Padihari respectively are concerned, in absence of any criminal antecedent and the nature of

accusation against them and absence of any clinching material to attract the ingredients of the offence under section 3 of the S.C. and S.T. (PoA) Act and also absence of any bar under section 18 of the said Act, the interim order dated 05.04.2022 so far as it relates to petitioners nos.3, 4 and 5 is made absolute.

The ABLAPL is accordingly disposed of.

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

(S.K. Sahoo)
Judge



RKM