

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.2895 of 2022

Tanmaya Kumar Patra* *Petitioner

Mr.B. Muduli, Advocate

-versus-

State of Odisha* *Opp. Party

Mr.Arupananda Das

Addl. Government Advocate

**CORAM:
JUSTICE S.K. SAHOO**

ORDER

04.05.2022

Order No.

02. 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 made sufficient.

None appears for the informant.

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

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Tirtol P.S. Case No.161 of 2022 corresponding to C.T. Case No.67 of 2022 pending in the Court of learned Sessions Judge -cum- Special Court, Jagatsinghpur for alleged commission of offences under sections 294 and 323 of the Indian Penal Code and sections 3(1)(r)(s) and 3(2)(va) of

S.C. & S.T. (PoA) Act.

Considering the submissions made by the learned counsel for the petitioner that the accusations against the petitioner are omnibus in nature, the ingredients of the offence under section 3 of the S.C. & S.T. (PoA) Act are not attracted and section 18 is not a bar for entertaining the application under section 438 of Cr.P.C. and on hearing the learned counsel for the State, who submitted that the petitioner has got no criminal antecedent and the fact that the petitioner has been granted interim protection as per order dated 19.04.2022 and there is no material that he has misutilized his liberty, the interim order dated 19.04.2022 is made absolute.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

PKSahoo