

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.1409 of 2022

Padma Charan Palei @ Petitioners
Kalia Polei

Mr. S. Mohanty, Advocate

-versus-

State of Odisha Opp. Party

*Mr. Rajesh Tripathy,
Addl. Standing Counsel*

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

ORDER

13.10.2022

I.A. No.307 of 2022

Order No.

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

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

This is an application for modification of order dated 26.07.2022.

Learned counsel for the petitioner submitted that since one of the offences is under section 3 (1)(r)(s)/3(2)(v)(va) of the S.C. and S.T. (PoA) Act, in the event the petitioner surrenders and moves for bail, notice has to be issued to the informant and after the appearance of the informant, the bail application will be considered and the petitioner may be

remanded to judicial custody, thereby delay may be caused for disposal of the bail application. He further submitted that the petitioner may be permitted to file an affidavit in advance in the Court below mentioning the date of surrender and the copy of the same will be supplied to the learned Public Prosecutor in advance so that intimation will be given to the informant to appear on the date fixed and oppose the application for bail, if any.

Learned counsel for the State has no objection.

Considering the submission made by the learned counsel for the respective parties, the order dated 26.07.2022 is modified to the extent that if within one week from today, the petitioner files an affidavit before the concerned Court indicating the date of surrender giving copy thereof to the learned counsel for the State, the intimation shall be provided to the informant in advance through the Inspector-in-charge of Khallikote police station in order to enable the informant to appear on the date fixed to have his say on the application for bail. The date of surrender of the petitioner is extended till 11.11.2022.

With this modification, the rest part of the order dated 26.07.2022 shall remain unaltered.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Judge

