IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.11880 of 2026
CNR No. ODHC010768572026

Ranjan Kumar Nayak **.....** ***Petitioner***

Represented by Adv. - Puspamitra Mohapatra

-versus-

State Of Odisha and another **.....** ***Opposite Parties***

Represented by Adv. – Ms. B. K. Sahu, AGA

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA
ORDER
23.10.2026

Order No.

01. 1. This matter is taken up through Virtual Mode.

2. Heard learned counsel for the Petitioner and learned counsel for the State. Perused the anticipatory bail application as well as the F.I.R.

3. The present application has been filed under Section 482 of BNS, 2023 for releasing the Petitioner on anticipatory bail for alleged commission of offences under Sections 126 (2) / 296 / 117 (2) / 118 (2) / 109 /103/3 (5) of BNS 2023 R/w Section 3(1) (r) (s) / (2) (v) (va) of SC & ST (PoA) Act. However, in view of the bar contained under Sections 18 as well as 18-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the present application u/s 482 of B.N.S.S. is not maintainable. The provisions of section 482 of B.N.S.S. is not applicable to the case registered involving an offence under the Scheduled Castes and

Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4. Further, this Court has also elaborately discussed the issue in the case of ***Pramod Kumar Ray and others-vrs.-State of Odisha***, reported in ***(2017) 67 OCR 309***. In the light of the principle laid down by this Court in ***Pramod Kumar Ray*** (supra), the present bail application is being disposed of with the following observations.

5. The Petitioner shall surrender before the learned P.O. Special Court Under SC & ST (PoA) Act, Cuttack in C.T. Case No. 209 of 2024 arising out of Khuntuni P.S. Case No. 186 of 2024 on or before 25.11.2026. Seven days before the Petitioner surrender before the said Court, his counsel shall serve a copy of the bail application or such number of copies of the bail application on the learned Public Prosecutor/Special Public Prosecutor, as required by him, for the purpose of notice to the victim or his/her counsel or dependant.

6. Further, it is directed that on advance intimation the case diary and other relevant materials be made available to the Court in seisin over the matter by the date of surrender. The learned Court in seisin over the matter is further directed to consider the case of the Petitioner in accordance with law and shall dispose of the bail application on the very same day.

7. The ABLAPL is disposed of accordingly.

Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Vacation Judge

Signature Not Verified
Digitally Signed
Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Kataka
Date: 25-Oct-2026 19:20:51