

(2021) 06 OHC CK 0005

In the Orissa High Court

Case No : Anticipatory Bail Application No.6509 Of 2021

Mohan Sahoo

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 02-06-2021

Acts Referred:

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3, 18

Citation : (2021) 06 OHC CK 0005

Hon'ble Judges : S. K. Sahoo, J

Bench : Single Bench

Advocate : S. Hota, Arupananda Das

Judgement

S.K. Sahoo, J

1. This matter is taken up by video conferencing mode.

2. Let two extra copies of the anticipatory bail application be served on the learned counsel for the State, one of which shall be retained by him and

the other copy will be sent to the Inspector in-Charge of Industrial Police station (Nisa) for its service on the informant in Industrial Police station

(Nisa) P.S. Case No.113 of 2021 and it will be intimated to her that the matter is likely to be taken up in the week commencing from 28th June 2021

and if she so likes, she can engage an advocate in the matter. Learned counsel for the State shall obtain written instruction from the Inspector-in-

Charge of Industrial Police station (Nisa) regarding service of notice on the informant.

3.Â List this matter in the week commencing from 28.Â 06.2021 before any assigned Bench.

4.Â Considering the submissions made by the learned counsel for the petitioners

that the ingredients of the offence under section 3 of the S.C. & S.T.

(POA) Act is not made out and therefore, section 18 of the said Act is not a bar to entertain this application and the case arises out of a matrimonial

dispute, as an interim measure, it is directed that the petitioners shall not be arrested in connection with Industrial Police station (Nisa) P.S. Case

No.113 of 2021 corresponding to D.R. Case No.1398 of 2021 pending in the Court of learned Judge, Special Court of S.C. & S.T., Angul till the next

date subject to further conditions that they shall make themselves available for interrogation by the Investigating Officer as and when necessary and

they shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him

from disclosing such facts to the Investigating Officer.

5.Â Learned counsel for the State shall produce the case diary and obtain instruction in the matter by the next date.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order

available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide

Court's Notice No. 4587 dated 25th March 2020 as modified by Court's Notice No. 4798 dated 15th April 2021.