

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 1145/2024

(Arising out of impugned judgment and order dated 16-11-2023 in ABLAPL No. 12171/2023 passed by the High Court of Orissa at Cuttack)

JAYANARAYAN MISHRA

Petitioner(s)

VERSUS

THE STATE OF ODISHA

Respondent(s)

(FOR ADMISSION)

Date : 31-01-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRAFor Petitioner(s) Mr. Maninder Singh, Sr. Adv.  
Mr. Sarthak Nayak, Adv.  
Mr. Satish Kumar, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following

## O R D E R

Heard Mr. Maninder Singh, learned senior counsel appearing for the petitioner.

The counsel would point out that the incident relating to the FIR No. 67 dated 15.02.2023 happened in broad daylight on 15.02.2023 and as can be seen from the submission of the State's counsel before the High Court on 16.11.2023, the incident was captured in the form of Videography. It is then submitted that in course of last nearly one year, the petitioner who is an MLA and also the Leader of the Opposition in the Odisha Legislative Assembly is performing his usual duties and the Police never had

any occasion to summon him in connection with the incident on 15.02.2023. It is accordingly submitted that the High Court should have favourably considered the petitioner for pre-arrest bail since custodial interrogation may not be necessary, considering the nature of the allegations made against the petitioner and the Videography evidence, stated to be available.

Issue notice, returnable in four weeks.

Dasti notice to the Standing Counsel for the State, in addition.

In the meantime, the petitioner is protected from arrest in connection with the above case.

(NITIN TALREJA)  
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)  
ASSISTANT REGISTRAR