

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

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 ORISSA

Respondent(s)

(FOR ADMISSION)

Date : 14-11-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Sourav Agarwal, Adv.
Mr. Sarthak Nayak, Adv.
Mr. Srisatya Mohanty, Adv.
Mr. Satish Kumar, AOR

For Respondent(s) Ms. Samapika Biswal, AOR
Ms. Soumya Sannidhanam, Adv.
Mr. Aman Kumar Yadav, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Heard Mr. Sourav Agarwal, learned counsel appearing for the petitioner. Also heard Ms. Samapika Biswal, learned counsel appearing for the State of Odisha.

2. We have considered the submission of the learned counsel for the parties. Also noted the pleadings in both the Special Leave Petition and also the counter affidavit of the State.

3. The petitioner's counsel submits that the petitioner will make himself available. Moreover, although he is a resident of

Sambalpur where the FIR was registered, currently he is residing elsewhere and that should not be seen as obstructing the due process of law. It is then submitted that the contents of the FIR should be taken only as allegation and should not come in the way of considering anticipatory bail for the petitioner.

4. The petitioner at the relevant time, was the Leader of the Opposition and is currently a Member of Legislative Assembly. People in leadership position must set an example for public behaviour. The allegations against the petitioner are serious and would require a fair and professional investigation which might be prejudiced in the event of granting anticipatory bail to the petitioner.

5. Having considered the circumstances here, we deem it appropriate to reject the plea for anticipatory bail. The Special Leave Petition is accordingly dismissed.

6. Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR