

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CRLA No.1119 of 2023**

**1. Umakanta Sahu** .... **Appellants**  
**2. Biren @ Nihar Sahu**

*Mr. Bhojaraj Seth, Advocate*

*-versus-*

**1. State of Odisha** .... **Respondents**  
**2. Surya Kumbhar**

*Mr. Sonak Mishra*

*Addl. Standing Counsel*

*Mr. Kranti Prabha Mukhi,  
advocate for the respondent  
no.2*

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

**ORDER  
21.11.2023**

*सत्यमेव जयते*

**Order No.**

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

In pursuance of the order dated 14.11.2023, Mr. Rajib Lochan Mohanty, Scientific Officer is present through virtual mode on behalf of Director, R.F.S.L., Sambalpur.

Learned counsel for the State submitted that initially the exhibits were sent for chemical examination to the Director R.F.S.L., Sambalpur and then it was sent to S.F.S.L., Rasulgarh, Bhubaneswar for such purpose and he has received instruction that

within ten days, the chemical examination report would be ready.

In view of such submissions being made by the learned counsel for the State, let the Inspector in-charge of Gaisilat police station receive the chemical examination report and also produce all the material objects/exhibits sent for such examination before the learned trial Court i.e. Addl. Sessions Judge, Padampur in Spl. G.R. Case No.65 of 2021.

Mr. Sonak Mishra, learned counsel for the State submitted that even though an order was passed on 14.11.2023 asking him to intimate the I.O. to appear before this Court through virtual mode today and to explain why the order of the learned trial Court was not carried out in producing the material objects and C.E. report before the learned trial Court which has caused delay in commencement of trial and though he has intimated the I.O. of this case, namely, Sudhakar Sahu, O.P.S., who is now D.S.P., Sarankul, Nayagarh, but he expressed his unwillingness to appear before this Court.

The Director General of Police, Odisha shall ensure the personal appearance of the said D.S.P. Sudhakar Sahu before this Court on 06.12.2023.

D.S.P. Sudhakar Sahu shall file show cause as to why proceedings as contemplated under the Contempt of Courts Act, 1971 shall not be initiated against him

for not following the direction of this Court on 14.11.2023 and not appearing through virtual mode in spite of instruction being given by the learned State counsel.

List this matter on 6<sup>th</sup> December 2023.

A free copy of the order be handed over to the learned counsel for the State for compliance.

**( S.K. Sahoo )**  
**Judge**

**I.A. No.2597 of 2023**

04. This is an application for interim bail on the ground of ailment of appellant/petitioner no.1 Umakanta Sahu.

Learned counsel for the State seeks some further time to obtain instruction on the interim application.

List this matter on 6<sup>th</sup> December 2023.

Instruction be obtained in the meantime.

**( S.K. Sahoo )**  
**Judge**