



IN THE HIGH COURT OF ORISSA AT CUTTACK

ELPET No.19 of 2024

Manoj Kumar Panda

.....

Election Petitioner

Represented by
Mr. Gopal Kumar Agarwal ,
Sr. Advocate with
Ms. S. Srivastava, Advocate

-versus-

K. Anil Kumar

.....

Respondent

Represented by
Mr. B. Bhuyan,
Senior Advocate with
Mr. S. Mohanty, Advocate

CORAM:

THE HON'BLE MR. JUSTICE SASHIKANTA MISHRA

ORDER
31.10.2025.

Order No.

I.A. No.128 of 2025

- 38.
1. This matter is taken up through hybrid mode.
 2. Heard Mr. B. Bhuyan, learned Senior counsel engaged by Mr. S. Mohanty, learned counsel for the Petitioner-Respondent and Mr. Gopal Agarwal, learned Senior counsel assisted by



Ms.S.Srivastava learned counsel for the Opp.Party-Election Petitioner.

3. The Election Petitioner files an objection to the I.A. The same be kept on record.

4. An affidavit has been filed by the Election Petitioner, Manoj Kumar Panda, inter alia, stating that on 22.10.2025 while returning from the Railway Station to his house, three Police Personnel without uniform forcibly picked him up in a Police vehicle and took him to Police Barrack where they detained him till 24.10.2025 and interrogated him about the Election Petition particularly asking him as to why he had filed the Election Petition against the sitting M.L.A. of Berhampur. The affidavit be kept on record.

5. Let a copy of the affidavit and also a copy of this order be served upon Mr. A.R.Dash, learned A.G.A., who is present in Court. He is requested to obtain necessary instructions and apprise this Court accordingly.

6. In course of hearing on the I.A., attention of this Court is drawn to a document enclosed as Annexure-X series to the I.A. which purports to be a newsitem published in the daily 'The Hindu' on 23.10.2025. The said newsitem relates to an ongoing investigation in a recent murder case. It appears that the S.P., Berhampur held a Press Conference wherein he is reported to have stated the following:



“During the investigation, an election petition emerged as a common link between Bikram Panda and Siba Shankar Dash. The petition was filed on May 19, 2024, against sitting BJP MLA K. Anil Kumar of Berhampur. It was filed in the name of a helper who works at Siba Shankar Dash's residence. In reality, it was filed by Siba Shankar Dash himself. The legal expense and advocate fees for "pursuing the election petition were being borne by Bikram Panda," the S.P said.

7. If true, it is indeed disturbing to observe that a Police Officer as Senior as the S.P. chose to publicly comment on an ongoing election dispute before this Court. Learned Senior counsel appearing for both sides further submit that the video of the Press Conference is available wherein the S.P. is also seen commenting on the possible outcome of the Election Petition, which is entirely unwarranted.

8. This Court therefore, deems it proper to call for an explanation from the S.P., Berhampur as to under what circumstances and for what reason he gave the above statement, if at all, referring especially to the Election Petition being heard by this Court and as to why such conduct shall not be treated as contempt of this Court.

9. The explanation should reach this Court on or before 7.11.2025. This order be communicated by mail to the S.P., Berhampur in course of the day.

10. List this I.A. on 07.11.2025 for further hearing.



11. Urgent certified copy of this order be granted on proper application in course of the day.

AKB

(Sashikanta Mishra)
Judge