



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2143 of 2026

Bhimasen Dalei

.... *Petitioner(s)*

Mr. Harekrushna Dash, Adv.

versus-

State of Odisha

.... *Opposite Party(s)*

Smt. Sarita Moharana, ASC

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

ORDER

13.07.2026

Order No.

01.

1. This matter is taken up through hybrid arrangement.
1. In filing the present CRLMC, the Petitioner claiming himself to be the registered owner of the vehicle in question (TVS Apache RTR-160) bearing registration No.OD-09-X-8161, which is seized due to its use in unauthorized transportation of "foreign liquor", has challenged the impugned order dated 25.04.2026 passed by the learned Additional District & Sessions Judge, Anandapur in Criminal Revision No.02 of 2026 so also the order dated 23.09.2025 passed by the learned S.D.J.M, Anandapur in C.M.C Case No.195 of 2025.

Apart from the above, the Petitioner has also sought for a direction from this Court to the authority concerned for releasing the above noted vehicle in his

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zima which is seized in connection with 2(a)CC Case No.43 of 2025.

2. Heard.
3. Learned counsel for the Petitioner submits that since the above noted vehicle has been parked at an open space, the condition of the said vehicle is going to be deteriorated day-by-day due to direct exposure to the sun and rain. He, accordingly, prays for a direction for release of the said vehicle.
4. At this juncture, learned counsel for the State, on instruction, submits that based on the allegation of illegal transportation of “foreign liquor” the above noted vehicle has been seized on completion of all the formalities meant for the said purpose. She further contends that the order of confiscation pertaining to the above noted vehicle has been confirmed by the concerned Appellant authority. Petitioner has lost in both the stages. She, accordingly, prays for dismissal of the present CRLMC.
5. Be that as it may, since the condition of the above noted seized vehicle is getting deteriorated day-by-day due to direct exposure to the sun and rain, this Court directs the learned court in *seisin* over the matter to release the above noted seized vehicle in the *zima* of the Petitioner subject to the conditions that the Petitioner:-

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- i. shall deposit cash security/ property surety worth Rs.50,000/-(Rupees fifty thousand only) before the concerned Registrar, Civil Courts/ the competent authority within a month hence;
 - ii. shall file an undertaking that he will not change the appearance and colour of the seized vehicle;
 - iii. shall not allow the said vehicle to be used for any illegal purpose; and
 - iv. shall produce the seized vehicle before the court or before the authority concerned as and when required;
 - v. obtain comprehensive insurance policy for the seized vehicle every year;
6. In case of violation of any of the above conditions by the Petitioner, this order would not be applicable.
7. This CRLMC is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Ayaskanta

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