IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLREV No.889 of 2025

Goura Mohapatra @ Goura …. **Petitioner**

Mr. S. P. Das, Advocate

-Versus-

State of Odisha and another …. **Opposite Parties**

Mr. S.K. Swain, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
01.12.2025

Order No.

01. 1. Heard Mr. Das, learned counsel for the petitioner and Mr. Swain, learned AGA for the State.

2. Instant revision is filed by the petitioner assailing the impugned orders dated 16th June, 2025 and 16th September, 2025 passed in connection with CMC No.915 of 2025 by the learned Additional DCP-cum-Executive Magistrate, Bhubaneswar in a proceeding initiated under Section 129 BNSS arising out of Khandagiri Non-FIR No.31 of 2025 on the grounds stated.

3. It is submitted by Mr. Das, learned counsel for the petitioner that the petitioner has been directed to execute a bond with conditions, such as, to furnish solvent sureties, furnish personal bond of Rs.10,000/- and one of such sureties must be a Govt. servant not below the rank of Class-III with such other directions. The further submission is that in view of the onerous conditions imposed, the petitioner is unable to furnish the bond

and surety. It is also submitted that the petitioner moved the learned court below seeking modification of the order dated 16th June, 2025 but it has been rejected vide Annexure-2, hence, therefore, in the interest of justice, the conditions are to be revised.

4. Recorded the submission of Mr. Swain, learned AGA for the State and it is submitted that the learned court below did not err in imposing conditions considering the antecedent of the petitioner and rightly directed verification of solvency surety by the local PS and the Tahasildar, Pipili.

5. Perused the impugned orders at Annexures-1 and 2.

6. The petitioner is a resident of Khandagiri PS and he has been directed to furnish the bonds. It is made to understand that the petitioner is alleged to be an anti-social in Khandagiri area and desperate character and hence, he has been directed to furnish the surety with compliance of other conditions imposed. Considering the submissions of learned counsel for the respective parties and the plea of the petitioner, the Court finds that the conditions, such as, among the two sureties, one must be a Govt. servant not below the rank of Class-III should be omitted. The Court, however, is of the view that the other conditions are perfectly justified. But, in view of the fact that solvency and other verification is pending for quite some time, according to the Court, a direction is required to be issued to the learned court below to accomplish it at the earliest with necessary instructions issued to the local PS and the Tahasildar

concerned so that the petitioner would be able to furnish the surety bond in compliance of the order as at Annexure-1.

7. Accordingly, it is ordered.

8. In the result, the revision petition stands disposed of with the direction as aforesaid. It is further directed that the learned Additional DCP-cum-Executive Magistrate, Bhubaneswar shall ensure early verification of the antecedent of the petitioner with instructions issued to the IIC of the PS concerned and also the Tahasildar, Pipili in order to facilitate and enable him to furnish the bond at the earliest. As a necessary corollary and for the reasons stated hereinabove, the impugned order at Annexure-1 is modified to be extent as aforesaid with a direction for complying the above order at the earliest preferably within fifteen days from the date of receipt of a copy of this order.

9. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge

Tudu
Signature Not Verified
Digitally Signed
Signed by: THAKURDAS TUDU
Designation: Sr. Stenographer
Reason: Authentication
Location: OHC,CTC
Date: 02-Dec-2025 19:16:51