IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMP No.1486 of 2026
CNR No. ODHC010715992026

Sahadev Tarai **.....** ***Petitioner***

Represented by Adv. - Biswaranjan Mohapatra

-versus-

State Of Odisha & Others **.....** ***Opposite Parties***

Represented by Adv. – J. Nayak, AGA

CORAM:
THE HON'BLE MR. JUSTICE SIBO SANKAR MISHRA

ORDER

Order No. **30.10.2026**

02. 1. The petitioner is the accused in Mancheswar P.S. Case No.704 of 2026. The petitioner by invoking writ jurisdiction of this Court under Articles 226 and 227 of the Constitution of India is seeking the following reliefs:-

> *(a) restrain the Sub-lnspector-Opp.Party No.4 from taking any coercive steps or action against the Petitioner, including summoning him to the police station or demanding payment of any money, in connection with the civil dispute between the Petitioner and Opp.Party No. 5 relating to the sale of the land in question;*
>
> *(b) direct the 0pp. Party No. 4 and the Opp.Party No.3 to refrain from interfering, in any manner whatsoever, with*

the civil dispute between the Petitioner and the Opp.Party No. 5, the same being governed by the Agreement dtd. 11.03.2020 which is to be adjudicated exclusively before the competent Civil Court in Bhubaneswar Jurisdiction.

(c) direct an appropriate inquiry by an independent authority into the conduct of the Opp.Party No.4 in humiliating the Petitioner on the ground of his caste and coercing him into writing on a piece of paper as per his dictation, and direct that appropriate action be taken in accordance with law;

(d)declare the writing dtd.02.09.2026, obtained from the Petitioner at Mancheswar Police Station under coercion and threat, as null, void, and not binding on the Petitioner;

(e) Further, be pleased to pass any such appropriate order/orders, relief/reliefs, direction/directions as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice;

2. On 07.10.2026, this Court was directed the State counsel to obtain necessary instruction in this matter. Pursuant thereto, the State Counsel has placed on record a para wise reply dated 07.10.2026 of the IIC, Mancheswar Police Station which reads as under:-

"10. That, on 02.09.2026 at about 2 PM one Pritilata Biswal, W/o- Bikash Biswal of Plot No-1580, Satya Vihar, PO- Rasulgarh, PS- Mancheswar, Dist- Khordha reported writing at PS regarding cheating of cash of Rs-6, 25,000/- (Rs5,00,000/- (T) RTGS to Yudhistir Tarai

vide Cheque No-002531 of Oriental Bank of Commerce, Palasuni, Rasulgarh Branch dtd.11.03.2020) and cash of Rs-1,25,000/- to Sahadev Tarai towards the cost of a land measuring an area of Ac 0.083 Dcml from Khata No-526, Plot No-4559 of Ac.01.320 out of 0.053.33 and Khata No-527, plot No-4558, Ac.0.151 Dcml out of Ac.0.030Dcml total Ac 0.083.33 Dcml. On receiving the information I have contacted with my mobile phone No-9658049730 to Sri Sahadev Tarai. He received my call and admitted about the fact and receipt of cash of Rs 6,25,000/- towards the part amount of the land out of considering amount of Rs-41,66,500/- and will appear at PS soon. On 05.09.2026 both complt. Pritilata Biswal and Sahadev Tarai appeared at PS and after their discussion Sahadev Tarai gave in writing to return the amount of Rs-6,25,000/- (T) three numbers of cheque on Sunday afternoon. Besides that the allegation made by the petitioner are merely exaggerated.

11. It is not a fact that, the petitioner was detained at Police station and insulted him. The allegation made by him is merely exaggerated.

12. It is not a fact that I have compelled into to write on a piece of paper to issue three cheques with in period of 10 days in favour of complt. Pritilata Biswal.

13. It is not a fact that, I have dictated to write on the piece of paper by threat and exerted.

14 As per the version of the petitioner and written application after their discussion complt. verbally intimated regarding non-compliance of his assurance I have contacted with him on 10.09.2026 but did not received my call.

15. It is fact that, alleged Sahadev Tarai and his elder brother Yudhistira Tarai knowingly deed an agreement for sale of the land to the complt.Pritilata Biswal received advance amount of Rs-6,25,000/-and playing hide and seek role with her to grab her money.

16. On the written report of complt. Pritilata Biswal Mancheswar PS Case. No- 704 dtd 16.09.2026 U/s-318(4)/3(5) BNS has been registered and I have been directed to investigate into the case. During investigation complt. and the witnesses were examined and recorded their statements U/s-180 BNSS in separate sheet, seized the relevant documents i.e copies of deed of agreement for sale of land dtd. 11.03.2020, money receipts of Rs 1,25,000/-, cheque vide No-002531 of Rs-5 lakhs dtd 11.03.2020, RoR of Khata No-526 stands recorded in the name of Dhusasana Tarai, Arjuna Tarai S/o- Kumar Tarai, Udia Tarai W/o- Kumar Tarai, Yogi Tarar, Subala Tarai both S/o-Sadhu Tarai and Kalandi Tarai, S/o- Radhu Tarai, and Dhusasana Tarai, Arjuna Tarai S/o- Kumar Tarai, Udia Tarai W/o- Kumar Tarai, Yudhisthira Tarai S/o- Yogi Tarai, Yogi Tarai, Subala Tarai, both are S/o- Sadhu Tarai and Adhar Card No-385867540594 of Pritilata Biswal. Notice (U/s-35(3) BNSS have been issued and duly acknowledged by petitioner Sahadev Tarai and Manorama Tarai in favour of Yudhisthir Tarai. The case is under investigation. Taking of any coercive does not arise but to request both the alleged accused persons to cooperate in the investigation of the case. This is submitted for your kind information."

3. In view of the aforementioned, since the investigation of the case is already going on and notice

under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been issued to the petitioner, in such circumstance, no further order is required to be passed in this petition. The opposite party No. 3 is directed to do well to see that the investigation in connection with the aforesaid case is completed expeditiously, without any further undue delay, and the appropriate police report under Section 173 Cr.P.C.(corresponding to 193 BNS), is filed before the jurisdictional court in accordance with law.

4. The petitioner shall be at liberty to avail appropriate remedy available to him under law, as may be warranted by the subsequent developments in the case.

(S.S. Mishra)
Judge

Rati/Subhasish

Signature Not Verified
Digitally Signed
Signed by: RATI RANJAN NAYAK
Reason: Authentication
Location: OHC
Date: 31-Oct-2026 17:18:57