IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMP No.1641 of 2026
CNR No. ODHC010735862026

Manjulata Behera **.....** ***Petitioner***

Represented by Adv.
- Gopinath Mishra

-versus-

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

Represented by Adv. –
A. Mohanty, ASC

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

ORDER
29.10.2026

Order No.

01. 1. Heard.

2. The petitioner, invoking the writ jurisdiction of this Court under Articles 226 and 227 of the Constitution of India, seeks a direction to opposite party Nos.2 to make a proper investigation in Traffic P.S. Puri No.121 of 2025.

3. The learned Addl. Standing Counsel for the State placed on record a report dated 29.10.2026 issued by the IIC, Traffic P.S. *inter alia,* stating as under:

> *"That On 06.06.2025 at 06.30 PM informant Sarada Prasad Behera (29) S/O-Sarbeswar Behera of Harispur, PS-Nimapada, Dist-Puri lodge a written complaint before IIC Traffic PS that on 06.06.2025 at*

about 04.20 PM his younger brother Debi Prasad Behera (26) S/O-Sarbeswar Behera of Harispur, PS-Nimapada, Dist-Puri was proceeding from Sea Beach Road towards Bhubaneswar Via Mangalaghat Bi-Pass road by riding his Yamaha R-15 M/C bearing Regd no-OD-02-CX-7566. On the way on NH-316 in front of Akshya Patra Foundation, Puri an unknown vehicle dashed with the M/C from back side. As a result his brother fell down on the road side and sustained injuries on his person. Soon after the occurrence the alleged driver of the unknown vehicle fled away from the spot with his vehicle. The local people shifted him to DHH Puri for treatment and on his arrival a DHH Puri the treating MO declared him as brought dead at 06.01 PM on 06.06.2025 at Casualty. The accident took place due to rash and negligence driving of the driver of unknown vehicle. Hence he reported the matter at PS for taking necessary legal action.

On this report, Sri Jayadeep Mohanty, the then IIC Traffic PS, Puri registered Traffic PS Case No.121 of 06.06.2025 U/S-281/106(1) BNS and directed SI Prafull Barik to take up the investigation of the case.

The occurrence of this case is on NH-316 in front of Akshya Patra Foundation, Puri, which is located at a distance of about 5 KMs West from PS.

During course of investigation, the Investigating officer has examined the informant, as well as other witnesses and recorded their statement U/s 180 BNSS, visited the spot and prepared spot map, seized the accident involved Yamaha R-15 M/C bearing Regd no- OD-02-CX-7566, Smart RC, Insurance Certificate under proper seizure list and left in zima to the informant, obtained the PM report in respect of deceased Debi Prasad Behera (26) S/O-Sarbeswar Behera of Harispur, PS-Nimapada. Dist-Puri from DIHIH Puri, in which the PM conducting M.O Dr. Binika Kamalini opined that all the injuries described above are ante mortem in nature and could have been caused by hard, blunt and rough surface force impact. Death is due to injury to chest and its complications thereof. The time since death at the time of Post Mortem examination is within about 12-24 hours The investigating officer has entered the accident data in IRAD format. The lo has verified the CCTVnearby the spot but no CCTV installed nearby the spot.

During Investigation the investigating officer established that, informant Sarada Prasad Behera (29) S/O-Sarbeswar Behera of Harispur, PS-Nimapada, Dist-Puri is the elder brother of the deceased Debi Prasad Behera (26). They both were working in the Hotel Ananya Palm Beach under the jurisdiction of Baliapanda PS. Father of the deceased had admitted to Capital Hospital. Bhubaneswar in a case of Cardiac Problem. On 06.06.2025 at about 03.45 PM after Completion of the Hotel duty the Debi Prasad Behera (deceased) intimated to Sovan Kumar Nishank, Estate Manager of Hotel Ananya Palm Beach that he is proceeding to Bhubaneswar in his M/C alone to attend his father at Capital Hospital, Bhubaneswar. On that day at about 04.20 PM while the deceased Debi Prasad Behera (26) S/O-Sarbeswar Behera of Harispur, PS-Nimapada, Dist-Puri was proceeding from Sea Beach Road towards Bhubaneswar Via Mangalaghat Bi-Pass road by riding his Yamaha R-15 M/C bearing Regd no-OD-02-CX-7566. On the way on NH-316 in front of Akshya Patra Foundation, Puri an unknown vehicle dashed with his M/C from back side. As a result he fell down on the road side and sustained injuries on his person. Soon after the occurrence the alleged driver of the unknown vehicle fled away from the spot with his vehicle. The local people shifted him to DHH Puri for treatment and on his arrival a DHH Puri the treating MO declared him as brought dead at 06.01 PM on 06.06.2025 at Casualty. Hence the driver of the unknown vehicle is squarely liable for the fatal incident, for which the loss of life caused. After all sincere and possible steps have been taken by the 10 no clue obtained so far towards the accident caused unknown vehicle. Hence it is a case of Final report true No Clue U/s-281/106(1) BNS against the accused driver of the unknown vehicle. The investigating officer submitted Final form FRT no clue vide no- 153 Dtd 09.09.2025 against the accused driver of the unknown vehicle."

4. It appears from the aforesaid report that the investigation has been completed and the final form has also been filed. In view of the same, no further order is required to be passed in the present petition. However, the petitioner

is at liberty to resort to the procedural remedy available to him under law.

5. With the aforesaid observation, this CRLMP is disposed of.

(S.S. Mishra)
Judge

Rati/Subhasish

Signature Not Verified
Digitally Signed
Signed by: RATI RANJAN NAYAK
Reason: Authentication
Location: OHC
Date: 30-Oct-2026 21:05:37