

IN THE COURT OF SUB-DIVISIONAL JUDICIAL MAGISTRATE, CHAMPUA

Present: Sri Dipak Kumar Sathua, B.Sc. (Math), LL.M.,
S.D.J.M., Champua.

Dated the 21st day of February, 2026

Crl. Misc. Case No. 16 of 2026

(Arising out of G.R. Case No. 24 of 2026)

SAROJ KUMAR MAHAKUD,
S/o. Late Hrushikesh Mahakud,
Resident of Vill./P.O. Belda,
PS. Bamebari, District- Keonjhar.

..... Petitioner

Versus

State of Odisha

..... Opposite Party

ORDER

Heard on the petition. This order arises out of petition U/S- 503 of BNSS filed by the petitioner namely, SAROJ KUMAR MAHAKUD, S/o. Late Hrushikesh Mahakud, Resident of Vill./P.O. Belda, P.S. Bamebari, District- Keonjhar to release his a vehicle bearing **Regd. No- OD09-AC-6636, Chassis No- MAT566011R1F16257 and Engine No. B6.7B62300D02142F64391211** and seized by the IIC, Jhumpura PS in connection to G.R. Case No- 24/2026 corresponding to Jhumpura PS Case No. 10 dtd.12.01.2026. During hearing of the petition Ld. Counsel for the petitioner submitted that the above vehicle is seized by the Jhumpura PS on dtd.- 12.01.2026 and till today pending in the station premises. He also submitted that the present petitioner is the

registered owner of the vehicle. He filed the Xerox copy of Registration Certificate and Xerox copy of Insurance Certificate in his support. Hence, he prayed to release the vehicle in question in his favour. On the other hand Ld. APP orally objected the petition.

Heard, perused the case record. The I.O also submitted a report on with seizure list. On perusal of those documents it is found that the present petitioner is the owner of the vehicle in question. It is also found that the vehicle seized on dtd.12.01.2026 by the IIC, Jhumpura PS in connection to G.R. Case No. 24/2026, U/s- 281/125(a)/125(b) of BNS. From that day the vehicle in question has been kept in the police custody.

Hon'ble High Court of Orissa in Ashish Ranjan Mohanty (adv) Vrs. State of Odisha decided that. In para 15(iii) in any event no property will be retained in the Malkhana of the Court or in police station longer than a period of absolutely necessary for the purpose of case. If it has to be longer than three months, the Court concerned will record the reason in an order but on no account will the period of retention exceed six months. The I.O has submitted report that during the investigation the vehicle is not required for further investigation. The vehicle is seized by the I.O on dtd. 12.01.2026 as per the seizure list and kept in the IIC, Jhumpura PS campus. Hence, following the above ratio decided by Honble Court the petition is al..... Let **a vehicle bearing Regd. No- OD09-AC-6636, Chassis No- MAT566011R1F16257 and Engine No. B6.7B62300D02142F64391211** be released in favour of the petitioner subjected to the following conditions (as per the SOP in Para-16 in the above referred case of Hon'ble High Court) :-

1. The petitioner shall file the details i.e Company Name, Model, Regd. No, Chassis No, Engine No, Year of manufacturing, Year of registration, year of Exp. Of road Tax details of insurance of the vehicle in question properly attested by his Counsel supported by an affidavit.
2. He shall file four copies of digital photographs and video clips not more than one minute and shall produce in a pen drive containing the encrypted digital photograph and video clip of vehicle a vehicle bearing **Regd. No- OD09-AC-6636, Chassis No- MAT566011R1F16257 and Engine No. B6.7B62300D02142F64391211**. The filed type of the images should be in JPG/JPEG/PNG format and the video should be of MP4/MOV/AVI etc format.

3. He shall furnish a security bond of vehicles of Rs.45,05,000/- (Rupees Forty Five Lakhs and Five Thousands only) similar to the present value of the vehicle with one solvent surety.
4. He shall file his statement in shape of affidavit affirming that the above steps have been taken in his presence which will be used as evidence in future.
5. He shall not change the color, engine number and chassis number of the vehicle.
6. The digital photos and video clips may be prepared in the presence of the Informant and the accused of the G.R case No. 24/2026 and the Petitioner in this case or through their Counsels.
7. He shall produce the vehicle as and when required by the IO for the purpose of investigation.

Court officials Constable namely Sri Sujit Narayan Apatta (CSI Office, Champua) is delegated to monitor the taking of digital photograph or recording of video, as the case to furnish a certificate, that under his supervision he photographs and video were taken.

Extract copy of this order sent to the IIC, Jhumpura PS for compliance of the above direction in presence of informant, petitioner and accused to submit it by this court. In addition to that the IO/IIC is required to produce the informant and the accused on that day for recording of their statement that the above steps were taken in their presence. The petitioner is also directed to remain present on that day for recording of his statement that the above steps were taken in his presence.

Put up when the security bond, photo and pen drive containing the video clips as per the above order files by the petitioner.

S.D.J.M., Champua

21.02.2026