



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRREV No. 250 of 2002

Banwarilal @ Banamali @ **Petitioner**
Shyama Agrawalla

None

-versus-

Republic of India **Opposite Party**

Mr. Saroj Kumar Rout,
Additional Standing Counsel

Mr. Sarthak Nayak,
Special Retainer Counsel for CBI

CORAM:

THE HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

04.02.2026

Order No.

10.

(Through hybrid mode)

1. None appears for the Petitioner when the matter is called.
2. It appears that the CBI has not been able to ascertain about the wellbeing and whereabouts of the Petitioner as has been reflected in order dated 19.12.2025. It also appears that amongst the four counsels originally appearing on behalf of the Petitioner, Mr. R.K. Nayak and Mr. B. Mohanty, learned counsels have expired. Mr. P.K. Maharaj and Mr. P.C. Jena, learned counsel are very much available, but they are not present in Court when the matter is called.
3. This CRREV has been filed challenging the judgment of conviction dated 23.09.1998 passed by the learned Chief Judicial



Magistrate, Puri in SPE Case No.14 of 1982 convicting the Petitioner for the offences punishable under Sections 411 and 471 of the IPC and sentencing him to undergo R.I. for 3 years on each count along with fine under Sections 411 and 471 of the IPC and further to pay a fine of Rs.10,000/- under Section 471 of the IPC, in default to undergo R.I. for six months more with direction that both the sentences are to run concurrently. By the same judgment, co-accused Binod Agarwalla was acquitted from the charge under Sections 468/471/380/411/34 of the IPC while the present Petitioner was acquitted from the charges under Sections 468/380/34 of the IPC. Criminal Appeal No.18 of 1998 filed by the Petitioner has been dismissed by the learned Sessions Judge, Puri on 11.02.2002.

4. The Revision has been admitted and Misc. Case No.355 of 2002 for bail and Misc. Case No.356 of 2002 for stay of realization of fine had been allowed on 19.03.2002. Thereafter, the matter had been listed on 06.09.2011 when it was adjourned on the prayer of the learned counsel for the Petitioner. On the next date i.e. on 10.09.2025, none appeared on behalf of the Petitioner when the matter was called and the learned counsel for the CBI had been directed to obtain instruction with regard to whereabouts and



wellbeing of the Petitioner by the next date. Thereafter the matter was listed on 22.10.2025, 24.11.2025 and 19.11.2025.

5. Mr. Sarthak Nayak, learned Special Retainer Counsel for CBI referring to the report of the Additional Superintendent of Police CBI, ACB, Bhubaneswar and the report of Mr. S.Raju Reddy, Head Constable CBI, ACB, Bhubaneswar submits that the whereabouts of the Petitioner is not known since more than twenty three years.

6. In order to give another chance to the Petitioner and his counsel, list this case on 16.02.2026 indicating the names of only Mr. P.K. Maharaj and Mr. P.C. Jena, learned counsel as counsel for the Petitioner.

(Savitri Ratho)
Judge

RKS