



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 59 of 2026

1. Prasanta Kumar Dash **Petitioners**
2. Soumendra Kumar Das
3. Bikranta Kumar Jena

Mr. Alekha Kumar Sahoo, Advocate

-versus-

**1. State Of Odisha Represented
through the Secretary, Department of
Home, Bhubaneswar**
2. Director General of Police, Odisha
**3. Inspector General of Police,
Economic Offence Wing, CID, CB,
Bhubaneswar**
**4. Superintendent of Police, Economic
Offence Wing, CID, CB, Bhubaneswar** **Opp. Parties**

Mr. Ashok Kumar Apat,
Additional Government Advocate

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

18.02.2026

Order No.

(Through hybrid Mode)

03. 1. Although there is no direction for personal appearance of the investigating officer in this case, but Mr. Ashis Kumar Mishra, Additional Superintendent of Police / Investigating Officer, EOW, CID Crime Branch, Bhubaneswar is present in person in Court along with copy of the case diary. He submits that investigation in the case is continuing and a few days back raid had been made to arrest the accused.



2. Copy of the case diary which has been produced has entries upto 08.11.2025 only. So the I.O. submits that he shall produce the copy of the up-to-date case diary if granted one week time.

3. Perused the report dated 13.02.2026 of the Registrar (Administration) who has informed the Court that the post of the Presiding Officer in the Designated Court under the OPID Act is lying vacant since 29.10.2025, consequent upon transfer of Sri Sushil Kumar Rout and no P.O. has yet been posted in the vacant Court.

4. Perused the order dated 11.11.2025 which is annexed to the instruction dated 09.02.2026 of the I.O. in this case. The relevant portion of the order is extracted below:-

“Vide memo No. 8008 dated 27.10.2025, pursuant to Hon'ble Courts letter No. 16829 dated 12.10.2025 respected District Judge, Cuttack had requested the then PO, Designated Court under OPID Act, Cuttack to make over charge of his court and office to me in the forenoon of 29.10.2025 positively, which reveals that this court is in charge of the routine duty of the PO, Designated Court under OPID Act, Cuttack and hence this court is not empowered especially by



the Hon'ble High Court to interfere in the judicial discretion of the said court, except in urgent matters. Issuance of NBW against the aforementioned accused persons is a legitimate prayer and hence the prayer should not be rejected. However, this court lacks jurisdiction to issue NBWs as prayed for. Accordingly, the petition is tagged with the case record, to be placed before the regular PO on his joining for his/her kind perusal and taking steps in accordance with law on this petition.”

5. It is apparent that the prayer to issue NBW has not been allowed on the ground of lack of jurisdiction / power to issue such order.

6. List this case on 25.02.2026 to enable production of the up-to-date case diary in the said case.

(Savitri Ratho)
Judge

Sukanta