



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 305 of 2026

Raghunath Patra

....

Petitioner

Mr. Bikram Das Mohapatra, Advocate
-versus-

1. State of Odisha
2. Director General of Police,
Odisha, Cuttack
3. Superintendent of Police,
Balasore
4. IIC, Kamarda P.S., Balasore

....

Opposite Parties

Mr. Amitabh Pradhan,
Additional Standing Counsel

CORAM:

THE HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

19.03.2026

Order No.

02.

(Through hybrid mode)

1. This CRLMP has been filed for issue of a direction to the Opposite Parties for proper and effective investigation of the case being Kamarda P.S. Case No.215 of 2025 by any responsible independent agencies like (CID) CB, HRPC of Police and to protect the life and liberty of the Petitioner and his wife in the interest of justice.

2. When the matter was taken up on 12.03.2026, the learned counsel for the Petitioner submitted that the Petitioner is a senior citizen aged about 75 years and as he refused to sell his property to one Narendra Kumar Barik, who is Bhaga Chasi in his land, a case has been registered on false allegation regarding sexual assault on



three and half year old daughter and three years' old niece. It is also submitted that it is apparent that the case is a false case as the informant did not agree for medical examination of the minor alleged victims.

3. This case has been adjourned to today to enable the learned Additional Standing Counsel to obtain instructions as to whether medical examination of the minor victims had been conducted or not.

4. Today, instructions have not been produced but the case diary in Kamarda P.S. Case No.215 of 2025 has been produced by Mr. Amitabh Pradhan, learned Additional Standing Counsel.

5. Perusal of the case diary reveals that the mothers of the two minor victim girls did not permit the two minor victims to be medical examined on their own risk. That apart, the statements of the victims recorded under Section 183 of the BNSS are available in the case record.

6. From perusal of their statements it prima facie appears that the contention of the Petitioner that an offence under Section 6 of the POCSO Act is not made out against him has some force.

7. As contents of the FIR reveal commission of offence under Section 65 of the BNS as well as Section 6 of the POCSO Act, the action of the police for registering the case for those two offences cannot be criticized. As investigation is in progress, it is expected that the I.O. will examine all the materials on record including the statements of two minor victims recorded under Section 183 of BNSS before submitting final form in the case.



8. Perusal of the case diary reveals that investigation so far has been conducted in accordance with law, so I do feel that any direction is required to be issued for handing over investigation of the case to any other agency.
9. With the aforesaid observations, the CRLMP is disposed of.
10. The case diary be returned to the learned State Counsel.

(Savitri Ratho)
Judge

RKS

Signature Not Verified

Digitally Signed
Signed by: RANJAN KUMAR SETHI
Reason: Authentication
Location: ORISSA HIGH COURT, CUTTACK
Date: 21-Mar-2026 10:53:46

