



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMP No. 333 of 2026

Bhimsen Nayak

.....

Petitioner

Mr. S. Mahapatra, Advocate

-versus-

1.State of Odisha

2.Superintendent of Excise,

Balasure

3. OIC/SI of Excise, Balasure

.....

Opposite Parties

Mr. Sarathi Jyoti Mohanty,
Additional Standing Counsel

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

20.03.2026

Order No.

01.

(Through hybrid Mode)

1. This CRLMP has been filed for a direction to the Opposite Party No.3 -OIC/Sub Inspector of Excise, District Mobile Unit, Balasure to release the vehicle bearing registration No. OD01A3653, vide chesis No. ME4KCO9CBD8430712 and Engine No. KC09E86439255 in favour of the petitioner in compliance of order dated 19.01.2026 and 29.01.2026 passed by the learned JMFC, Soro in Misc. Case No. 18/2026 arising out of 2(a) CC No. 373/2025 corresponding to P.R. No. 134/2025 for secure ends of justice.

2. Perusal of Annexure-2 reveals that by order dated 19.01.2026, the learned JMFC, Soro had directed for release of the petitioner's Motor cycle bearing registration No. OD01A3653 subject to certain conditions.

3. As this High Court is not the Executing Authority for executing the orders passed by the learned Magistrate, I am not inclined to entertain this application under Article 226 and 227 of



the Constitution of India.

4. Mr. S. Mohapatra, learned counsel for the petitioner submits that he may be permitted to approach the learned Magistrate as the order of the Magistrate has not been complied with by the OIC, District Mobile Unit, Balasore.

5. The petitioner is at liberty to do so, as it is stated that the order of the learned Magistrate has not been complied with till date.

(Savitri Ratho)
Judge

Subhalaxmi