



IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.3430 of 2026

Purusottam Gardia

.....

Petitioner

Mr. Ajit Kumar Raut, Adv.

-Versus-

State of Odisha

....

Opposite Parties

Mr. Sonak Mishra, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

05.05.2025

Order No.

01.

F.I.R No.	Dated	Police Station	Case No. and Courts' Name	Sections
42	17.02.2026	Rengali	C.T Case No.130 of 2026 pending in the Court of learned C.J. (J.D)-Cum-JMFC, Lakhanpur	U/S. 318(2)/318(4)/319(2)/336(2)/336(3)/338/340(2)/61(2)(b) of BNS Act read with Section 66(C)/66(D) of the Information Technology Act and Section 42 of the Tele Communication Act, 2023

1. This matter is taken up through hybrid arrangement.

Signature Not Verified

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 06-May-2026 18:40:03

2. The petitioner being in custody in connection with Rengali P.S. Case No.4 of 2026, corresponding to C.T Case No.130 of 2026



pending in the Court of learned C.J. (J.D)- Cum- JMFC, Lakhanpur, registered for the alleged commission of offence under Section 318(2)/318(4)/319(2)/336(2)/ 336(3)/338/340(2)/61(2)(b) of BNS Act read with Section 66(C)/66(D) of the Information Technology Act and Section 42 of the Tele Communication Act, 2023, has filed this petition for his release on bail.

3. The brief fact of the case is that the informant, namely, Puspa Khamari, SI of Police, Rengali P.S. lodged FIR alleging therein that in compliance to the letter of I.G. of Police, CID, Crime Branch & State Cyber Crime Nodal Officer, Odisha vide No. 30/CID-M & C dated 13.02.2026, for taking action against PoSs (Point of Sales) operators involved in misuse of Telecom Resources through analysis of Cyber Crime cases, CDRs, sim activation data and input from TSPs, I/c Rengali P.S. has directed to take action against the alleged PoS mentioned in the letter under reference. From the report of the 14C, MHA Government of India, it is ascertained that the Purusottam Communication had activated one AIRTEL SIM card bearing No.8093174973 and the said mobile phone number was used for commission of Cyber Financial Fraud, five numbers of complaint have been generated in the National Crime Report Portal

Signature (NCRP) vide acknowledgement No.31005250001395,

Digitally Signed 331052500537, 33105250056041, 33105250056043, and
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 06-May-2026 18:40:03



33105250056046 against the said SIM number, wherein total fraudulent amount of Rs.14,99,600/- is involved. During investigation, it was ascertained that the said (PoSs) Purusottam Communication belong to the petitioner, where he deliberately violating the guideline of the Department of Telecommunications and endangering public safety by misusing the identities of the innocent people without their knowledge or consent in order to activate SIM card. It is also stated that the accused was selling there “ready to use” SIMs at exorbitant premium price to unidentified individuals, knowingly providing tools for potential cyber fraud, extortion and other anti-social criminal activities. It is also stated that during search 27 numbers of ready to use SIM card out of which 3 numbers of pre-activated SIM cards of various services providers including JIO and Airtel, one biometric device used for unauthorized KYC processing, three numbers of mobile handset utilized for activating and testing the fraudulent. On the basis of the aforesaid allegation, the FIR was lodged.

4. Learned counsel for the Petitioner submits that the Petitioner has been languishing in custody since 17.02.2026. The allegations against the petitioner are based on mere suspicion and presumption. There is no direct evidence against the petitioner for

Signature Not Verified

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 06-May-2026 18:40:03



alleged cyber fraud transactions. The investigating officer without



conducting a fair and proper investigation and without collecting any prima facie evidence has arrested the petitioner. In view of all these above, when the Petitioner is a permanent resident of District Jharsuguda as also the question of tampering with the evidence does not arise, as the investigation is over, he urges for consideration of prayer for grant of bail to the Petitioner.

5. Learned counsel for the State vehemently opposes the bail prayer of the Petitioner on the ground that sufficient material is available against the Petitioner for the alleged commission of offence. So, he prayed for rejection of the bail application.

6. Considering the facts and circumstances of the case, nature and gravity of offence, conduct of the petitioner in the commission of the alleged offence, length and severity of the punishment prescribed for the offence and impact of the offence upon the society at large, this Court is not inclined to release the petitioner on bail.

7. Accordingly, the BLAPL is dismissed.

8. Issue urgent certified copy of the order pas per Rules.

(Dr. Sanjeeb K Panigrahi)
Judge

Signature Not Verified

Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 06-May-2026 18:40:03

