



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12631 of 2025

Pramod Kumar Patra

....

Petitioner

Mr. S.S. Mohanty, Advocate

-versus-

1. State of Orissa

....

Opposite Parties

2. Divisional Forest

Officer, Keonjhar

Division

3. Forest Range Officer,

Barbil (T) Range, Barbil

Mr. S.Panda, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

13.11.2025

Order No.

- 02.** 1. Heard learned counsel for the Petitioner and learned counsels for the State.
2. This ABLPAL has been filed apprehending arrest in connection with O.R Case No.5 of 2025-26 booked by the Forest Range Officer, Barbil Range under the Odisha Forest Act, 1972.
3. Learned counsel for the State submits that in the given fact such apprehension is misconceived.
4. Whether there exists a reasonable apprehension of incarceration has to be assessed in the light of the judgment of the Apex Court in the case of **Gurbaksh Singh Sibbia & Others Vrs. State of Punjab**, reported



in **(1980) 2 SCC 565** reiterated in **Dhanraj Aswani Vrs. Amar S. Mulchandani and others** reported in (2024) 10 SCC 336.

5. Considering the materials on record and in the light of the judgment of the Apex Court referred to hereinabove, this Court finds substance in the submission made by the learned counsel for the Petitioner.

6. As prayed for by the learned counsel for the State list this matter on 17.12.2025 to enable him to obtain instruction(s).

7. As an interim measure, it is directed that the Petitioner shall not be taken into custody in connection with the aforesaid case, till the next date.

(V. NARASINGH)
Judge

Soumya