



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**ABLAPL No.12617 of 2025**

**Niranjan Nayak & others** .... **Petitioners**

Mr. J.K. Khuntia, Advocate

-Versus-

**State of Odisha** .... **Opposite Party**

Mr. S.K. Das, ASC

Mr. B.K. Routray, Advocate  
(Informant)

Mr. P.K. Kar, Advocate  
(Intervenor)

**CORAM:**

**MR. JUSTICE R.K. PATTANAIK**

**ORDER**

**22.04.2026**

**Order No.**

05.

1. Heard learned counsel for the respective parties.
2. Instant petition under Section 482 BNSS is filed for pre-arrest bail of the petitioners in connection with Basudebpur P.S. Case No.739 of 2025 corresponding to G.R. Case No.1175 of 2025 pending in the file of learned J.M.F.C., Basudebpur on the grounds stated therein.
3. Perused the FIR as at Annexure-1. This Court by order dated 31<sup>st</sup> March, 2026 had directed the State to take further instructions and to inform as to whether there is any misappropriation as has been alleged in the FIR. Today, a report of the I.I.C. of concerned P.S. is produced by the learned counsel for the State having been received by the office of the learned Advocate General, Odisha, Cuttack. It is submitted that the fertilizer loaded in a Mini Truck was handed over to the



concerned P.S. and after joint enquiry held by the Assistant Agriculture Officer, Bhadrak and on the report of the Collector and District Magistrate, Bhadrak by order dated 13<sup>th</sup> September, 2025, it has been released directing DRCS, Bhadrak to take departmental action against the Secretary of the Society. In the said report, it is also mentioned that the Secretary, namely, Rashmi Ranjan Kabat died in the meantime.

4. Mr. Routray, learned counsel for the informant submits that there is large scale corruption in the Society and one of such instances was reported by the informant, hence, the action.

5. Mr. Khuntia, learned counsel for the petitioners submits that petitioner Nos.1 & 2 are the office bearers of the Society, whereas, petitioner No.3 is a Data Entry Operator engaged in that Society.

6. As it is made to understand from the FIR and also the report received today that the fertilizer was loaded in the vehicle for disposal but subsequently, it was released by order of the Collector & District Magistrate, Bhadrak. This Court finds that the fertilizer was to be transported in the vehicle, the details of which are mentioned in the FIR and it was intercepted. But with regard to culpability of the petitioners, who are the office bearers of the Society, the investigation is in progress to ascertain it. In fact, by the order of the Collector & District Magistrate, Bhadrak, departmental action was recommended against the Secretary of the Society, who is no more alive. Considering the above facts and the submissions of the learned counsel for the respective parties and that the



fertilizer seized in connection with the case has already been released in the meantime, this Court, recording the objection of the informant and Mr. Routray, learned counsel appearing for him, is of the view that the petitioners should instead be directed to surrender before the learned court below for being released with conditions to cooperate in the investigation.

7. Accordingly, it is ordered.

8. In the result, the ABLAPL is disposed of. It is directed that in the event, the petitioners surrender before the learned J.M.F.C., Basudebpur in connection with Basudebpur P.S. Case No.739 of 2025 corresponding to G.R. Case No.1175 of 2025 within a fortnight from today, they shall be released on bail subject to them furnishing a bail bond of Rs.30,000/- (Rupees thirty thousand) each with one solvent surety for the like amount each to the satisfaction of the learned court below, which shall be at liberty to impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case besides the following, such as, petitioner Nos.1 & 2, in particular shall report the I.O. concerned and to attend the P.S. once in a fortnight for the purpose of investigation after being released on bail.

9. Issue urgent certified copy as per rules.

**(R.K. Pattanaik)**  
**Judge**