



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 13655 of 2025

Maniketan @ Minaketan Sahoo **Petitioner**
Mr. B. Pujari, Advocate

-Versus-

State of Odisha **Opposite Party**
Mr. M.K. Mohanty, ASC
Mr. S. Sharma, Advocate (Informant)

CORAM:
MR. JUSTICE R.K. PATTANAIK

Order
No.
04.

ORDER
26.02.2026

1. Heard learned counsel for the respective parties.
2. Instant petition under Section 482 BNSS is filed seeking pre-arrest bail of the petitioner in connection with G.R. Case No.2879 of 2025 pending in the file of learned S.D.J.M., Sambalpur arising out of Thelkoli P.S. Case No.518 of 2025 on the grounds stated.
3. Perused the FIR as at Annexure-1. Recorded the submissions of learned counsel for the respective parties. This Court by order dated 11th February, 2026 had directed the State to take instructions as to whether the petitioner is the driver-cum-owner of the vehicle and regarding the disposal of the consignment. Today, with the instruction received learned counsel for the State, it is submitted that the petitioner was the driver at the relevant point of time having received the



consignment and therefore, he cannot claim innocence. The details of the criminal cases as against the petitioner is also furnished to the Court. It is alleged that the record reveals that the petitioner was the driver against the consignment. Mr. Sharma, learned counsel for the informant refers to the affidavit at Flag-B and submits that the petitioner may be the owner but was also the driver of the vehicle in question that received the consignment and it disappeared without any trace. The submission is that the worth of the consignment is Rs.23 lac. According to Mr. Sharma, learned counsel, steel bars were being transported in the vehicle and it was entirely the responsibility of the petitioner to ensure that the same reached the destination, which did not happen.

4. In reply to the above, Mr. Pujari, learned counsel for the petitioner submits that the petitioner has become the owner in the meantime and had engaged one Javid Khan as the driver of the vehicle, who intimated the informant regarding the vehicle to have been broken down at Visakhapatnam but the same was seized at Rayagada. The claim is that the petitioner being the owner of the vehicle was not present at the spot. Irrespective of any such claim of ownership, the fact remains that the gate pass issued against the consignment reveals the name of the petitioner as the driver of vehicle. The steel bars which were being transported in the vehicle have not been recovered till date. Since, under mysterious circumstances, the consignment has disappeared on the way to its destination and it was the



look out of the petitioner, while receiving it and him having number of criminal cases of similar nature, recording the submissions of learned counsels for both the sides and State, this Court is of the view that it is not a fit case for considering pre-arrest bail in his favour but is of the view that he should be granted the liberty to surrender before the learned court below to plead for regular bail.

5. Accordingly, it is ordered.

6. In the result, the ABLAPL is disposed of with the direction as aforesaid. In the event, the petitioner surrenders before the court of learned S.D.J.M., Sambalpur in connection with G.R. Case No.2879 of 2025 corresponding to Thelkoli P.S. Case No.518 of 2025 within a fortnight from today and moves an application seeking regular bail, it shall be duly considered and disposed of on merit.

7. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge