



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.5615 of 2025

Subhamitra Nayak

....

Petitioner(s)

Mr. Manas Kumar Chand, Adv.

-versus-

*State of Orissa
(Vigilance)*

....

Opposite Party(s)

*Mr. Niranjana Moharana, SC
for the Department of Vigilance*

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI

**Order
No.**

**ORDER
23.02.2026**

04. 1. This matter is taken up through hybrid arrangement.
2. In filing this CRLMC, the Petitioner being the sister-in-law of the accused who has been booked based on the allegation of possession of disproportionate assets, has challenged the impugned order dated 27.10.2025 passed in Criminal Misc. Case No.174 of 2023 arising out of V.G.R No.52 of 2019, Cuttack Vigilance Cell P.S. Case No.17 of 2019 vide Annexure-1.

Apart from the above, the Petitioner has also sought for a direction from this Court for releasing the gold and silver ornaments which are seized from her Bank locker bearing No.368, Union Bank, Madhusudan Nagar Branch in connection with the above noted case, in her favour.

3. Heard.



4. Challenging the impugned order dated 27.10.2025 passed in the above noted Criminal Misc. Case, learned counsel for the Petitioner submits that the gold and silver ornaments seized from the above noted Bank locker of the Petitioner do not belong to the accused rather the said ornaments were gifted to her by her mother-in-law and her husband. He further contends that the Petitioner is sister-in-law of the accused and her ornaments and other valuable documents lying in the above noted Bank locker have been seized only on suspicion. He, accordingly, prays for allowing the prayer made in this CRLMC.

5. In his opposition, learned counsel for the Opposite Party/Vigilance Department submits that the investigation is going on and the seized materials are the subject matter of disproportionate assets of the accused person. He further contends that the Petitioner was also failed to explain the source of procurement of the seized materials at the time of seizure. He, accordingly, prays for dismissal of this CRLMC.

6. Considering the submissions made on behalf of both the parties, this Court while setting aside the impugned order dated 27.10.2025 passed in the above noted Criminal Misc. Case pertaining to the present Petitioner only, directs that only the gold and silver ornaments seized from the above noted Bank locker of the Petitioner in connection with the



Cuttack Vigilance Cell P.S. Case No.17 of 2019, shall be released in favour of the Petitioner in proper zimanama within a period of ten working days from the date of presentation of an authenticated copy of this order with a condition that after completion of the trial, if the accused is held to be the owner of the aforesaid ornaments, the Petitioner shall deposit the said ornaments as per the order of the learned Court in *seisin* over the matter without fail.

7. It is also directed that the Petitioner shall furnish property/cash security of Rs.10,00,000/- (rupees ten lakh only) before the learned Court in *seisin* over the matter. She shall not change the nature and character of the said ornaments. She shall not sell or mortgage the said ornaments until completion of trial. She shall produce the said ornaments as and when required by the learned Court in *seisin* over the matter.

8. This CRLMC is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge