

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH- KOLKATA**

O.A No: 67 of 2020/EZ

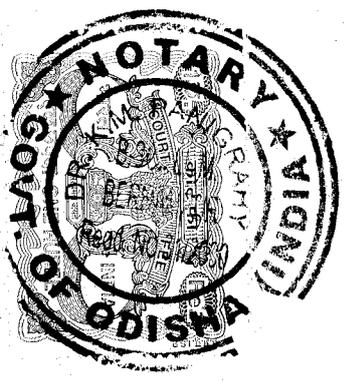
Mitra Barun Mahapatra ...Applicant

-Versus-

The State of Odisha & Others ...Respondents

**REJOINDER AFFIDAVIT FILED
BY THE APPLICANT RELATING
TO THE AFFADIVIT DATED:**

**10.08.2021 OF THE SPCB,
ODISHA**



I Mitra Barun Mahapatra (Applicant), S/O: Sukanta Kumar Mahapatra, aged about 31 years, resident of Banka, P/S: Buguda-761119, District: Ganjam, State: Odisha do hereby state on solemn affirmation as under:-

1. That I am the Applicant in the aforesaid Case and as such I am fully conversant with the facts and proceedings of the Case.
2. That the Collector- Cum- District Magistrate, Ganjam in compliance to the order dated: 07.07.2021 passed in this Case by this Hon'ble Tribunal lodged F.I.R vide his office letter No: 2521/XXV-780/2021/dated: 05.08.2021 against the Tahasildar, Bellanguntha before the Bellanguntha Police Station vide Police

K.M. Panigrahy
NOTARY
Berhampur (Ganjam)
No.....A.21.45
Time.....7.45
Place.....

Mitra Barun Mahapatra

FORM ART
NOTARY PUB

Station Case No: 188 of 2021 with reference to the Under Section 409 and 420 of I.P.C, 1860. The Tahasildar, Bellaguntha is also approached to the Hon'ble High Court of Orissa for pre-arrest bail vides ABLAPL No: 8805 of 2021. Copy of the F.I.R dated: 06.08.2021 down loaded from the Citizen Portal of the Home Department along with the Hon'ble Orissa High Court order dated: 28.07.2021 and 17.08.2021 passed in ABLAPL No: 8805 of 2021 down loaded from the Hon'ble Court website is annexed here to as ANNEXURE-A/7 for ready reference of this Hon'ble Tribunal.

3. That the Tahasildar, Bellaguntha is also lodged F.I.R vide his office letter No: 2421/dated: 02.08.2021 against the Respondent No: 10 and 11 before the Bellaguntha Police Station vide police Station Case No: 185 of 2021 with reference to Under section 379, 420 and read with Section 34 of I.P.C and Section 51 of the Odisha Minor Mineral Concession Rules, 2016 in compliance to the order/orders dated: 07.07.2021 of this Hon'ble Tribunal passed in this Case. The Respondent No: 10 and 11 are also approached to the Hon'ble High Court of Orissa for release of their pre- arrest Bail vide ABLAPL No: 10424 of 2021 and ABLAPL No: 10478 of 2021 respectively. Copy of the F.I.R dated: 03.08.2021 has been downloaded from the Citizen portal of the Home Department and Hon'ble Orissa High Court Case details

FORM PART

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- Mettra Barun Mahapatra

obtained from the Hon'ble Court Website is annexed here to as ANNEXURE-A/8.

4. That the Collector- Cum District Magistrate is remaining silent to cancel the long term sand sairat lease of the Respondent No: 10 and 11 i.e. Banka and Suramani Sand bed. It is evident from the proceeding of the Case the Respondent No: 10 and 11 have failed to comply the rules and regulations framed under the law and as per the stipulated conditions of the lease deed No: 10592001264/dated: 28.07.2020 for Banka Sand bed and another lease deed document No: 10592002439 /dated: 10.12.2020 for Suramani Sand bed. It is apt to mention here that the Respondent No: 10 and 11 are duty bound to abide all the stipulated terms and conditions laid down in the registered lease deed dated: 28.07.2020 and 10.12.2020 throughout the lease period. But, they have failed to comply the rules and regulations under the law and accordingly this Hon'ble Tribunal passed order on 07.07.2021 against the Respondent No: 10 and 11 along with Tahasildar, Bellaguntha, Ganjam District. So, they are found guilty according to the statutory provision of law. In view of this the Respondent No: 10 and 11 along with Tahasildar, Bellaguntha Tahasil office, Ganjam District are now facing prosecution as per order/orders dated: 07.07.2021 of this Hon'ble Tribunal. Therefore, the Respondent No: 10 and 11 have lost their locus standi in respect of their lease area and they are liable to surrender their



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lease area to the State for the ends of justice. Both the private Respondents long term lease period is valid up to 16.07.2022 as per the lease deed Executed among the Respondent No: 10 and 11 and Tahasildar, Bellaguntha. As on date no action has been taken by the Collector- Cum- District Magistrate, Ganjam or any other competent authority to cancel/revoke the lease deed dated: 28.07.2020 and 10.12.2020 which has been Executed with the Respondent No: 10 and 11. It shows the liberal attitude of the District Administration and it shows that they have shown undue favor to the Respondent No: 10 and 11. In view of the order/orders dated: 07.07.2021 passed by this Hon'ble Tribunal the Collector-Cum- District Magistrate is liable to cancel the Sand Sairat lease area of the Respondent No: 10 and 11. Failing which they will again operate their illegal business in the open Sky in contravention to the rules and regulation framed under the law.

5. That the facts stated above are true and best of my knowledge, belief and information.

IDENTIFIED BY

2052
19.09.2021

ADVOCATE

• Metra barcer Mahapatra

APPLICANT/DEPONENT

DECLARATION

The deponent has been identified
Advocate Sri *B.N. Mahapatra*
before me in *21/9/21*
Berhamp
explained the
have understood

Dr. K.M. Panigrahy
Notary Berhampur (Gm
No 31/200



FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.)

प्रथम सूचना रिपोर्ट
(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (जिला): GANJAM P.S. (थाना): Beleguntha PS Year (वर्ष): 2021
FIR No. (प्र.सू.रि. सं.): 0188 Date and Time of FIR (प्र.सू.रि. की दिनांक और समय): 06/08/2021 16:10 hrs

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	IPC 1860	409
2	IPC 1860	420

3. (a) Occurrence of offence (अपराध की घटना):

1 Day (दिन): Thursday Date from (दिनांक से): 22/04/2021 Date To (दिनांक तक): 22/04/2021
Time Period (समय अवधि): Pahar 1 Time From (समय से): 00:00 hrs Time To (समय तक): 00:00 hrs

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 06/08/2021 Time (समय): 16:10 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 012 Date and Time (दिनांक और समय): 06/08/2021 16:15 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): SOUTH-EAST, 10 Km(s) Beat No. (बीट सं.):

(b) Address (पता): SURAMANI AND BANKA, SAND BED,

(c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):

District (State) (जिला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

(a) Name (नाम): COLLECTOR AND DISTRICT MAGISTRATE GANJAM

(b) Father's/Husband's Name (पिता/पति का नाम):

(c)

TIC Attested
By Advocate

FORM-1

NOTARY PUBLIC

Date/Year of Birth (जन्म तिथि / वर्ष): 1981 (d) Nationality (राष्ट्रीयता): INDIA

(e) UID No. (यूआईडी सं.):

(f) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की दिनांक): Place of Issue (जारी करने का स्थान):

(g) ID Details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN) (पहचान विवरण (राशन कार्ड, मतदाता कार्ड, पासपोर्ट, यूआईडी सं., ड्राइविंग लाइसेंस, पैन कार्ड))

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान संख्या)

(h) Occupation (व्यवसाय):

(i) Address (पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	GANJAM,CHATRAPUR, CHHATRAPUR, GANJAM, ODISHA, INDIA
2	Permanent Address	GANJAM,CHATRAPUR, CHHATRAPUR, GANJAM, ODISHA, INDIA

(j) Phone number (दूरभाष सं.): Mobile (मोबाइल सं.):
91-1000000000

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या):
0

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address(वर्तमान पता)
1	SAROJ KUMAR BEHERA OAS			1. TAHASILDAR, BELLAGUNTHA, Beleguntha PS, GANJAM, ODISHA, INDIA

T. C. Atties
Don
By Advocate.

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S. No. (क्र.सं.)	Property Category (सम्पत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))

10. Total value of property (In Rs/-) (सम्पत्ति का कुल मूल्य(रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)

12. First Information contents (प्रथम सूचना तथ्य):

On 06.08.2021 at 04.10 PM received a FIR against Sri Saroj Kumar Behera, OAS, Tahasildar, Bellagantha vide letter no.2521/xxv-780/2021,dtd.05.08.2021 through Junior Clerk Banchhanidhi Mahrana, Collectorate, Ganjma alleging there in that A joint enquiry committee had inspected the Suramani sand bed and Banka sand bed under Bellagantha Tahasil on 22.04.2021 as per the direction of Honble NGT and pointed out that the lessee of aforesaid sand beds are operating the sources without Environment clearance and consent to operate order from State Pollution Control Board, Odisha. It is stated in the joint enquiry report that the Tahasildar, Bellagantha has informed to the joint enquiry committee that the said sand beds are operating without Environmental Clearance and Consent to operate order. The Tahasildar, Bellagantha also granted Y form without verifying the valid consent order and Environmental Clearance from State Environment Impact Assessment Authority. The Honble NGT in their order dated 07.07.2021 in O.A No. 67/2020/EZ Kolkata has passed order to file FIR for such irregularities. So he reported to take necessary legal action against him. On this written report of the Compl. IIC Belagantha PS registered a cog case vide PS case No.188/2021.

13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है.):

(1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): prakash kumar sahu (I (Inspector))/110072772119 or (या)

(2) Directed (Name of I.O.) (जांच अधिकारी का नाम): Rank (पद): No. (सं.):

Mobile No. (मोबाइल नंबर): 919861649150 to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)

(3)

T.C. Officer
By [Signature]

Refused investigation due to (जांच के लिए):
या)

or (के कारण इंकार किया

(4) Transferred to P.S. (थाना):

District (ज़िला):

on point of jurisdiction (को क्षेत्राधिकार के
कारण हस्तांतरित).

F.I.R. read over to the complainant / informant, admitted to be correctly recorded
and a copy given to the complainant / informant, free of cost. (शिकायतकर्ता /
सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क
शिकायतकर्ता को दी गयी)

R.O.A.C.
(आर.ओ.ए.सी.)

Signature of Officer in charge, Police
Station (थाना प्रभारी के हस्ताक्षर)

Name (नाम): prakash kumar sahu

Rank (पद): I (Inspector)

No. (सं.): 110072772119

Mobile No. (मोबाइल सं.):

919861649150

14. Signature / Thumb
impression
of the complainant /
informant (शिकायतकर्ता /
सूचनाकर्ता के हस्ताक्षर
/अंगूठे का निशान)

15. Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक
और समय):

T.C Attested
By Advocate

Attachment to item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 संलग्नक):

Physical features, deformities and other details of the suspect/accused: (If known / seen)

(संदिग्ध / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण: (यदि ज्ञात / देखा गया))

S. No. (क्र.सं.)	Sex (लिंग)	Date / Year Of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height (cms) (कद (से.मी.))	Complexion (रंग)	Identification Mark(s) (पहचान चिन्ह)
1	2	3	4	5	6	7
1	Male	1985		-		
Is Proxitted: No						
Deformities / Peculiarities (विकृतियाँ / विशिष्टताएँ)		Teeth (दाँत)	Hair (बाल)	Eye (आँखें)	Habit(s) (आदतें)	Dress Habit (s) (पहनावा)
8		9	10	11	12	13
Language/Dialect (भाषा/बोली)	Place of (का स्थान)					Others (अन्य)
	Burn Mark (जले हुए का निशान)	Leucoderma (लुकोदेर्मा (सफ़ेद धब्दे))	Mole (मस्सा)	Scar (घाव)	Tattoo (गूदे हुए का)	
14	15	16	17	18	19	20

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है)

Tic Affected
By Oliver

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8805 of 2021

Saroja Kumar Behera *Petitioner*

-versus-

State of Odisha & another *Opposite Parties*

CORAM: JUSTICE S.PUJAHARI

ORDER
17.08.2021

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard the learned counsel for the Petitioner and the learned counsel for the State.
3. Perused the additional affidavit filed on behalf of the Petitioner. List this case on 5th October, 2021.
4. Learned counsel for the State is directed to obtain the case diary in the meanwhile.
5. As an interim measure, it is directed that the Petitioner shall not be arrested in connection with Beleguntha P.S Case No.188 of 2021 till disposal of this bail application subject to the condition that he shall cooperate with the investigation.

T.C. Affesee
Dom
By [Signature]

6. However, the State is at liberty to seek early listing of the case, if it feels any urgency in the matter.
7. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge

RKS

T.C. Attested
By [Signature]



FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.)

प्रथम सूचना रिपोर्ट

(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (जिला): GANJAM P.S. (थाना): Beleguntha PS Year (वर्ष): 2021
FIR No. (प्र.सू. सं.): 0185 Date and Time of FIR (प्र.सू. की दिनांक और समय): 03/08/2021 22:30 hrs

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	IPC 1860	379
2	IPC 1860	420
3	IPC 1860	34
4	ODISHA MINOR MINERAL CONCESSION RULES, 2016	51

3. (a) Occurrence of offence (अपराध की घटना):

1 Day (दिन): Thursday Date from (दिनांक से): 22/04/2021 Date To (दिनांक तक): 22/04/2021
Time Period (समय अवधि): Pahar 1 Time From (समय से): 00:00 hrs Time To (समय तक): 00:00 hrs

(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 03/08/2021 Time (समय): 22:30 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 031 Date and Time (दिनांक और समय): 03/08/2021 22:35 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): SOUTH-EAST, 10 Km(s) Beat No. (बीट सं.):
(b) Address (पता): BANKA SAND BED AND, SURAMANI SAND BED,
(c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):
District (State) (जिला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

(a) Name (नाम): TAHASILDAR BELLAGUNTHA

T.C. Affected
By ASU

- (b) Father's/Husband's Name (पिता/पति का नाम):
- (c) Date/Year of Birth (जन्म तिथि / वर्ष): 1986
- (d) Nationality (राष्ट्रीयता): INDIA
- (e) UID No. (यूआईडी सं.):
- (f) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की दिनांक):

Place of Issue (जारी करने का स्थान):

- (g) ID Details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN) (पहचान विवरण (राशन कार्ड, मतदाता कार्ड, पासपोर्ट, यूआईडी सं., ड्राइविंग लाइसेंस, पैन कार्ड))

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान संख्या)

- (h) Occupation (व्यवसाय):

- (i) Address (पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	OFFICE OF THE TAHASILDAR,, BELLAGUNTHA, Beleguntha PS, GANJAM, ODISHA, INDIA
2	Permanent Address	OFFICE OF THE TAHASILDAR,, BELLAGUNTHA, Beleguntha PS, GANJAM, ODISHA, INDIA

- (j) Phone number (दूरभाष सं.):
- Mobile (मोबाइल सं.): 91-1000000000

T.C. Officer
Don
By Officer

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या):

0

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)
1	SUSANTA KUMAR BISHOYI		Father's Name: UDAYANATH BISHOYI	1. POCHALUNDI, BUGUDA, G ANJAM, ODISHA, INDIA
2	MADAN MOHAN SWAIN		Father's Name: NARAYAN SWAIN	1. PALAKASANDHA, GANGA PUR, GANJAM, ODISHA, INDIA

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S. No. (क्र.सं.)	Property Category (सम्पत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Description (विवरण)	Value (In Rs/-) (मूल्य (रु में))

10. Total value of property (In Rs/-) (सम्पत्ति का कुल मूल्य (रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी. प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी. प्रकरण सं.)

T.C Affected
By Advice.

12. First Information contents (प्रथम सूचना तथ्य):

On 03.08.2021 at 10.30 PM Tahasildar, Bellaguntha appeared at PS and presented a written report vide letter no.2421,dtd.02.08.2021 alleging there in that regarding report against the lessees Shri Susanta Kumar Bishoyi S/o-Baidyanath Bishoyi of village Pochalundi, PS-Buguda and another Shri Madan Mohan Swain S/o-Narayan Swain of village Palakasandha, PS-Gangapur, both are of District Ganajm lease deed agreement executed by the above lessees with the under signed bearing no.10592001264, dt.28.07.2020 for Banka sand bed and bearing no.10592002439,dt.10.12.2020 for Suramani sand bed which is self explanatory. The lessees have to abide by all the term and conditions so laid down in the registered lease deed agreement through out the lease period with out violating any of the conditions. One OA Case bearing no.67/2020/EZ was instituted in the court of Honble national green tribunal, Kolkata and in order to comply the order of the Honble court of date 03.03.2021, a joint committee had been constituted under the chairmanship of the Sub-Collector and others vide letter no.1349/Revenue, dtd.19.04.2021 of the Collector and District Magistrate, Ganjam to make a field visit and to take remedial action, If any violating due process of law. The joint committee have observed on dated 22.04.2021 to Banka sand bed and Suramani sand bed and found that both of mine was not compling the conditions of previous consent. Condition as well as the conditions imposed in the enviornmental clearance granted in favour of the mine vide SEIAA Letter No.3081, dt.05.06.2017 which the copy of enclosed annexure 04. It contravenes the term and conditions of the registered lease deed agreement made with the undersigned dated. 28.07.2020 in attached Annexure 01. It is evident from the observation of the said joint committee that a lessees namely Susanta Kumar Bishoyi has violated the conditions and Madan Mohan Swain also violated the condition of the lease deed. Susanta Kumar Bishoyi had been given a demand notice amounting Rs.37,204/- for excess excavation of sand beyond MGQ vide letter no.1483,dt.08.04.2021 similarly Modan Mohan Swain had been given a demand notice amounting Rs.2,82,985/- for excess excavation of sand beyond MGQ vide letter no.1480, dt.08.04.2021. Moreover the Honble National Green Tribunal EZB, Kolkata vide their order dtd.07.07.2021 at para 07 (06) has directed wheather criminal proceeding has been initiated against the said violater i.e RP No.10 11 in OA No.67/2020/EZ. So he reported before PS for taking legal action against the both violater. On this written report of the Complt. IIC Belaguntha PS registered a cog case vide PS case No.185/2021.

13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है.):

- (1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): prakash kumar sahu (I (Inspector))/110072772119 or (या)
- (2) Directed (Name of I.O.) (जांच अधिकारी का नाम): Rank (पद): No. (सं.):
Mobile No. (मोबाइल नंबर): 919861649150 to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)
- (3) Refused investigation due to (जांच के लिए): or (के कारण इंकार किया या)
- (4) Transferred to P.S. (थाना): District (ज़िला):
on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

T.C. Attested
By Don
P.S.

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant, free of cost. (शिकायतकर्ता /

सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी)

R.O.A.C.

(आर.ओ.ए.सी.)

Signature of Officer in charge, Police Station (थाना प्रभारी के हस्ताक्षर)

Name (नाम): prakash kumar sahu

Rank (पद): I (Inspector)

No. (सं.): 110072772119

Mobile No. (मोबाइल सं.):

919861649150

14. Signature / Thumb impression of the complainant / informant (शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान)

15. Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक और समय):

T.C. attested
By
Dm
Advocate

Attachment to item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 संलग्नक):

Physical features, deformities and other details of the suspect/accused: (If known / seen)

(संदिग्ध / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण: (यदि ज्ञात / देखा गया))

S. No. (क्र.सं.)	Sex (लिंग)	Date / Year Of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height (cms) (कद (से.मी.))	Complexion (रंग)	Identification Mark(s) (पहचान चिन्ह)
1	2	3	4	5	6	7
1	Male	1977		-		Is Proxitted: No
2	Male	1983		-		Is Proxitted: No

Deformities / Peculiarities (विकृतियाँ / विशिष्टताएँ)	Teeth (दाँत)	Hair (बाल)	Eye (आँखें)	Habit(s) (आदतें)	Dress Habit (s) (पहनावा)
8	9	10	11	12	13

Language/Dialect (भाषा/बोली)	Place of (का स्थान)					Others (अन्य)
14	Burn Mark (जले हुए का निशान)	Leucoderma (लुकोदेर्मा(सफ़ेद धब्बे))	Mole (मस्सा)	Scar (घाव)	Tattoo (गूदे हुए का)	20

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है)

T.C. Affected
By Advate.

Orissa High Court

Annexure-A/8 252

Orissa High Court
Case Details

Case Type	: ABLAPL	
Filing Number	: 10424/2021	Filing Date: 16-08-2021
Registration Number	: 10424/2021	Registration Date: 17-08-2021
CNR Number	: ODHC01-052958-2021	

Case Status

First Hearing Date	:
Decision Date	: 23rd August 2021
Case Status	: CASE DISPOSED
Nature of Disposal	: Uncontested--Allowed
Coram	: 2907MR. JUSTICE S.PUJAHARI
Bench	: Single Bench
State	: ORISSA
District	: Ganjam
Judicial	: Criminal Section
Causelist Name	: Weekly Daily
Last Page Number	: 58
Next Page Number	: 59

Petitioner and Advocate

1) MADAN MOHAN SWAIN

Advocate- RONIT GHOSH,S.S.PRADHANS.S.PRADHAN

Respondent and Advocate

1) STATE OF ODISHA

Acts

Under Act(s)	Under Section(s)
CRIMINAL PROCEDURE CODE, 1973	438

Subordinate Court Information

Court Number and Name	: S.D.J.M.-CIVIL JUDGE (JD),BHANJANAGAR
Case Number and Year	: GR - 0000980 - 2021
Case Decision Date	: --
state	: ORISSA
District	: Ganjam

FIR Details

State	: ORISSA
District	: Ganjam
Police Station	: BELLAGUNTHA
FIR Number	: 185
Year	: 2021

History of Case Hearing

Cause List Type	Judge	Business On Date	Hearing Date	Purpose of hearing
Weekly Daily	MR. JUSTICE S.PUJAHARI		23-08-2021	FOR ORDERS - FRESH BAIL APPLICATIONS U/S 438 Cr.P.C.
	MR. JUSTICE S.PUJAHARI			Disposed

Orders

Order Number	Judge	Order Date	Order Details
1	MR. JUSTICE S.PUJAHARI	23-08-2021	

Category Details

T.C. Affair
Dor

Category	CRIMINAL MATTERS (9)
Sub Category	CRIMINAL MATTERS RELATING TO BAIL/INTERIM BAIL/ANTICIPATORY BAIL/PAROLE (10)
Sub Sub Category	Anticipatory Bail Applications (2)

OBJECTION

Sr.No.	Scrutiny Date	OBJECTION	Compliance Date	Receipt Date
1	16-08-2021	All Objections are Complied	16-08-2021	--
2	17-08-2021	All Objections are Complied	16-08-2021	--

T.C Affected
By [Signature]

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10424 of 2021

Madan Mohan Swain *Petitioner*

-versus-

State of Odisha *Opposite Party*

CORAM: JUSTICE S. PUJAHARI

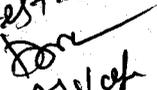
ORDER

23.08.2021

OrderNo.

01.

1. This matter is taken up through hybrid mode.
2. The Petitioner apprehending his arrest in Bellaguntha P.S. Case No.185 of 2021 registered for alleged commission of offences punishable under Sections 379, 420 read with Section 34 of the I.P.C. and Section 51 of the Odisha Minor Mineral Concession Rules, 2016, has filed this petition for his release on pre-arrest bail.
3. Heard the learned counsel for the Petitioner and the learned counsel for the State.
4. Perused the F.I.R. allegations.
5. On consideration of the allegations made in the F.I.R. and also the submissions made, especially the nature and character of allegations, circumstances in which the offences stated to have been committed and also it being not disputed

T.C. Attested
By 
02/08/21

that the Petitioner's release on pre-arrest bail shall not be an hindrance to a free and fair investigation, this Court is of the view that the Petitioner has made out a case for his release on pre-arrest bail, more particularly when he is ready and willing to cooperate with the investigation and he has no chance of absconding and/or tampering with the prosecution evidence, if released on pre-arrest bail.

6. Hence, this Court directs that in the event of arrest of the Petitioner in connection with the aforesaid case, he be released on bail by the Officer effecting arrest on such terms and conditions as deemed just and proper.

7. However, the aforesaid order is subject to the condition that the Petitioner shall cooperate with the investigation and no other graver offence is reported against the Petitioner besides the aforesaid offences.

8. The ABLAPL is, accordingly, disposed of being allowed.

9. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge

DA

T.C. Attested
By [Signature]
By [Signature]

Orissa High Court

Annexure-A/8 256

Orissa High Court
Case Details

Case Type	: ABLAPL		
Filing Number	: 10478/2021	Filing Date:	17-08-2021
Registration Number	: 10478/2021	Registration Date:	18-08-2021
CNR Number	: ODHC01-053238-2021		

Case Status

First Hearing Date	:	
Decision Date	: 24th August 2021	
Case Status	: CASE DISPOSED	
Nature of Disposal	: Uncontested--Allowed	
Coram	: 2907MR. JUSTICE S.PUJAHARI	
Bench	: Single Bench	
State	: ORISSA	
District	: Ganjam	
Judicial	: Criminal Section	
Causelist Name	: Supplementary(Daily)	
Last Page Number	: 60	
Next Page Number	: 61	

Petitioner and Advocate

1) SUSANTA KUMAR BISOYI

Advocate- RONIT GHOSH,S.S.PRADHANS.S.PRADHAN

Respondent and Advocate

1) STATE OF ODISHA

Acts

Under Act(s)	Under Section(s)
CRIMINAL PROCEDURE CODE, 1973	438

Subordinate Court Information

Court Number and Name	: S.D.J.M.-CIVIL JUDGE (JD),BHANJANAGAR
Case Number and Year	: GR - 0000980 - 2021
Case Decision Date	: --
state	: ORISSA
District	: Ganjam

FIR Details

State	: ORISSA
District	: Ganjam
Police Station	: BELLAGUNTHA
FIR Number	: 185
Year	: 2021

History of Case Hearing

Cause List Type	Judge	Business On Date	Hearing Date	Purpose of hearing
Supplementary(Daily)	MR. JUSTICE S.PUJAHARI		24-08-2021	FOR ORDERS - FRESH BAIL APPLICATIONS U/S 438 Cr.P.C.
	MR. JUSTICE S.PUJAHARI			Disposed

Orders

Order Number	Judge	Order Date	Order Details

Category Details

Category	CRIMINAL MATTERS (9)
----------	------------------------

Sub Category	CRIMINAL MATTERS RELATING TO BAIL/INTERIM BAIL/ANTICIPATORY BAIL/PAROLE (10)
Sub Sub Category	Anticipatory Bail Applications (2)

OBJECTION

Sr.No.	Scrutiny Date	OBJECTION	Compliance Date	Receipt Date
1	18-08-2021	All Objections are Complied	18-08-2021	--

g.c. Attached
Done
By Advocate

Orissa High Court

Annexure-A/8

Daily Status
Orissa High Court
In The Court Of : Judge
Case Number : ABLAPL/0010478/2021
SUSANTA KUMAR BISOYI Versus STATE OF ODISHA
Date : 24-08-2021

Business : Allowed
Nature of Disposal : Allowed
Disposal Date : 24-08-2021

Judge

T.C. Atepas
Done
By Atepas



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District * Police Station *
 From Date (DD/MM/YYYY)* To Date (DD/MM/YYYY) *
 FIR No.
 Applicant Type

Police Station	FIR No.	Act Section	Complaint Name	View Form
Beleguntha PS	0189/2021	IPC 1860-294, IPC 1860-323, IPC 1860-34, IPC 1860-354, IPC 1860-427, IPC 1860-452, IPC 1860-506	RAMA PATRA	View Form
Beleguntha PS	0188/2021	IPC 1860-409, IPC 1860-420	COLLECTER AND DISTRICT MAGISTRATE GANJAM	View Form
Beleguntha PS	0187/2021	THE ORISSA EXCISE ACT 2008-52a	Krushna Chandra Sethi	View Form
Beleguntha PS	0186/2021	THE ORISSA EXCISE ACT 2008-52a	Pramod Kumar Behera	View Form
Beleguntha PS	0185/2021	ODISHA MINOR MINERAL CONCESSION RULES, 2016-51, IPC 1860-34, IPC 1860-379, IPC 1860-420	TAHASILDAR BELLAGUNTHA	View Form
Beleguntha PS	0184/2021	THE ORISSA EXCISE ACT 2008-52a	Krushna Chandra Sethi	View Form
Beleguntha PS	0183/2021	THE ORISSA EXCISE ACT 2008-52a	Krushna Chandra Sethi	View Form
Beleguntha PS	0182/2021	IPC 1860-279, IPC 1860-337, IPC 1860-338	GEETANJALI SAHOO	View Form
Beleguntha PS	0181/2021	IPC 1860-34, IPC 1860-354-B, IPC 1860-376, IPC 1860-457, IPC 1860-511	SMT. RITANJALI GOUDA	View Form
Beleguntha PS	0180/2021	IPC 1860-294, IPC 1860-323, IPC 1860-34, IPC 1860-341, IPC 1860-506	SIMANCHALA NAIKA	View Form

1 2 3 4 5 6 7

Note-

1. Fields marked * are mandatory

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T.C. Attestd
Done
By *Aswath*