IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.9360 of 2025

Nirmala @ Deepak Malik … ***Petitioner***

Mr. A. Pattanaik, Advocate

-versus-

State of Orissa & Another … ***Opposite Parties***

Mr. C. Mohanty, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
23.12.2025

Order No.

03. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is the bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Basudevpur PS Case No.280 of 2025 corresponding to Spl. POCSO Case No.54 of 2025 pending in the file of learned ADJ-Cum-Spl. Court under POCSO Act, Bhadrak for commission of offences punishable U/Ss.137(2)/ 126(2)/ 115(2)/ 351(3)/ 64(1)/ 351(4)/ 3(5) of BNS r/w Sec.4 of the POCSO Act, on the main allegation of kidnapping the victim and committing rape and penetrative sexual assault upon her.

3. Heard, Mr. Achyutananda Pattanaik, learned counsel for the petitioner and Mr. C. Mohanty, learned Additional Public Prosecutor in the present matter and perused the record. None appears for the informant despite having entered appearance through learned counsels.

4. After having considered the rival submissions and taking into consideration the nature and gravity of the offences as alleged against the petitioner vis-à-vis the

accusations sought to be brought against him and regard being had to the pre-trial detention of the petitioner in custody since 17.05.2025 with submission of charge-sheet in the meantime and taking into account the other circumstances on record in entirety including the statement of the victim and keeping in view the inherent right of the accused to be presumed innocent until proven guilty at the trial, which is unlikely to commence in near future, this Court without expressing any view on merits admits the petitioner to bail.

5. Hence, the bail application of the petitioner stands allowed and the petitioner is allowed to go on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) only with one solvent surety for the like amount to the satisfaction of the learned Court in seisin of the case on such terms and conditions as deem fit and proper by it with following conditions:-

> *(i) the petitioner shall not contact the victim or visit her house till disposal of the case; and*
> *(ii) the petitioner shall not threaten/ influence/induce/ coerce any of the witnesses including the victim and her family members acquainted with the facts of the case so as to dissuade them disclosing such facts before the Court.*

6. Accordingly, the BLAPL stands disposed of.

7. Issue urgent certified copy of the order as per Rules.

Signature Not Verified
Digitally Signed
Signed by: JAYAKRUSHNA DASH
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 24-Dec-2025 10:39:40

(G. Satapathy)
Judge