IN THE HIGH COURT OF ORISSA AT CUTTACK
BLAPL No.626 of 2026

Pintu Mallick @ Malik … ***Petitioner***

Mr. B. Das, Advocate

-versus-

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

Mr. C. Mohanty, Addl. PP

CORAM: JUSTICE G. SATAPATHY

ORDER(ORAL) 06.04.2026

Order No.

02.

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

2. This is a bail application U/S.483 of BNSS by the petitioner for grant of bail in connection with Erasama PS Case No.440 of 2024 corresponding to Spl GR Case No.109 of 2024 pending in the file of learned Addl. Sessions Judge-cum-Special Court under POCSO Act, Jagatsinghpur for commission of offences punishable U/Ss.137(2)/87/64(2)(m)/65(1) of BNS r/w Sec.6 of the POCSO Act on the main allegation of kidnapping the victim and committing rape and aggravated penetrative sexual assault upon her.

3. Heard, Mr. Budhiram Das, learned counsel for the petitioner and Mr. C. Mohanty, learned Additional Public Prosecutor in the matter and perused the record. The father of the victim appearing virtually opposes the bail application of the petitioner.

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 accusation sought to be brought against him and regard

being had to the pre-trial detention of the petitioner in custody since 24.10.2025 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, this Court without expressing any view on merit admits the petitioner to bail, but subject to certain conditions.

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 or village till disposal of the case;*
>
> *(ii)the petitioner shall not threaten/ influence/induce/ coerce the victim and her family members acquainted with the facts of the case so as to dissuade them disclosing such facts before the Court;*
>
> *(iii) the petitioner in the course of trial shall attend the trial Court on each date of posting without fail unless his attendance is dispensed with**. In case the Petitioner fails without sufficient cause to appear in the Court in accordance with the terms of the bail, the learned trial Court may proceed against the Petitioner for offence U/S.269 of BNS, 2023 in accordance with law.***

This Court, however, reserves liberty to the State and the informant to file appropriate application for cancellation of bail of the petitioner in case of violation of the above condition or a case for cancellation of bail is otherwise made out. In such event of application for cancellation of bail, the learned Court in seisin over the matter is at liberty to pass appropriate order in accordance with law without further reference to this Court.

6. Accordingly, the BLAPL stands disposed of.

7. Issue urgent certified copy of the order as per Rules. A soft copy of this order be immediately communicated to the concerned Court, who shall afterwards communicate the same to the concerned Jail through e-mail for reference.

(G. Satapathy)
Judge

Jayakrushna

Signature Not Verified
Digitally Signed
Signed by: JAYAKRUSHNA DASH
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 07-Apr-2026 14:07:00