



IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1126 of 2025

Lochan Gahir @ Tutu and another **Petitioners**
Mr. A.K. Budhia, Advocate

-Versus-

State of Orissa and another **Opposite Parties**
Mrs. U. Padhi, ASC

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
27.03.2025

Order
No.
02.

1. Heard learned counsel for the petitioners and State.
2. Instant petition under Section 483 BNSS is filed for release of the petitioners on bail in connection with SA Case No.55 of 2024 pending in the file of learned ADJ-cum-Special Judge, Nuapada corresponding to Boden P.S. Case No.271 of 2024 on the grounds stated.
3. Gone through the contents of the FIR as at Annexure-1. A copy of the statement of the victim recorded under Section 180 BNSS is at Annexure-2 and the same is gone through. Mr. Budhia, learned counsel for the petitioners submits that the chargesheet is filed in the meantime and according to the version of the victim as per her statement during investigation, no sexual mischief has been committed by the petitioners. The further submission is that the accused, namely, Dushmantha Gahir was in relationship with the victim and under the circumstances narrated by her, she joined their



company. In the victim's statement under Section 180 BNSS, she has not alleged anything against the principal accused, namely, Dusmanta Gahir. No such mischief is also alleged against the petitioners. Mrs. Padhi, learned ASC for the State submits that it is a case of kidnapping of a minor. But considering the materials on record and the fact that the chargesheet is filed in the month of January, 2025 and custody of the petitioners since 15th December, 2024, the Court is inclined to allow them to go on bail with following conditions.

4. Accordingly, it is ordered.

5. In the result, the petition under Section 483 BNSS stands allowed. Consequently, the petitioners are directed to be released on bail in connection with SA Case No.55 of 2024 arising out of Boden P.S. Case No.271 of 2024 subject to them furnishing bail bonds of Rs.40,000/-(rupees forty thousand) each with one solvent surety for the like amount each to the satisfaction of the learned ADJ-cum-Special Judge, Nuapada, who shall impose such other suitable conditions as deemed just and proper in the facts and circumstances of the case.

6. The BLAPL is disposed of.

7. Urgent certified copy of this order be granted as per rules.

(R.K. Pattanaik)
Judge

Signature Not Verified

Digitally Signed
Signed by: THAKURDAS TUDU
Reason: Authentication
Location: OHC, CTC
Date: 28-Mar-2025 11:11:21

