



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11446 of 2025

1. Aju Malik @ ... **Petitioners**
Nisikanta Malik
2. Pramoda Malik

Mr. J. Rout, Advocate

-versus-

State of Odisha **Opposite Party**

Mr. C.R. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER
09.10.2025

Order No.

02. 1. Heard learned counsel for the Petitioners and learned counsel for the State.
2. The Petitioners are seeking pre-arrest bail in connection with C.T. Case No.1757 of 2025 pending on the file of learned J.M.F.C., Chandikhole arising out of Janapur P.S. Case No.311 of 2025 for commission of offences punishable under Sections 137(2)/3(5) of BNS.
3. It is submitted by the learned counsel for the Petitioners that though ex-facie the offences are bailable, taking into account the age of the victim there is reasonable apprehension of being implicated



for commission of offence inter alia under the POCSO Act. Hence, the ABLAPL is maintainable.

4. Learned counsel for the State submits that since the victim is yet to be recovered and considering the role ascribed to the Petitioner, they ought not to be protected by pre-arrest bail.

5. Considering the rival submission, it is directed that the Petitioners shall appear before the I.O. on 17.10.2025 to join and cooperate with the investigation.

6. List this matter on 26.11.2025.

7. As an interim measure, it is directed that the Petitioners shall not be taken into custody in connection with the aforesaid case, till the next date.

8. It is needless to say that the Petitioners shall cooperate with the Investigating Agency.

9. Copy of this order be made over to the learned counsel for the State to take necessary follow up action.

(V. NARASINGH)
Judge

Santoshi