



IN THE HIGH COURT OF ORISSA AT CUTTACK

Dhaneswar Sahu

(In BLAPL No.12104 of 2025)

Nipun Dhali

(In BLAPL No.12107 of 2025)

Sharmila Chakrabarty & another

(In BLAPL No. 12108 of 2025)

Rahul Nitam

(In BLAPL No. 12144 of 2025) ...

Petitioners

Mr. P.K.Das, Advocate
(in BLAPL No.12104 of 2025)

Mr. M.Nandu, Advocate
(in BLAPL No.12107 of 2025)

Mr.D.K.Panda, Advocate
(in BLAPL No. 12108 of 2025)

Mr.D.Mund, Advocate
(in BLAPL No. 12144 of 2025)

-versus-

State of Orissa

... Opposite Party

Mr. R.B. Mishra, Addl. PP

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
17.12.2025

Order No.
01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Since these four bail applications arise out of one and same case record, the same are heard together and disposed of by this common order with the consent of the learned counsel for the parties.
3. Mr. Deepak Kumar Panda, learned counsel for the petitioners in BLAPL No.12108 of 2025 by filing a memo, which is taken on record, prays to not press the bail application of petitioner No.1-Sharmila Chakrabarty.



Accordingly, the bail application of the petitioner No.1- Sharmila Chakrabarty stands disposed of as not pressed and the present bail application in BLAPL No.12108 of 2025 is only confined to petitioner No.2 namely Santosh Kumar Swain.

4. These are the bail applications U/S.483 of BNSS by the petitioners for grant of bail in connection with Malkangiri PS Case No.592 of 2025 corresponding to GR Case No.760 of 2025 pending in the file of learned SDJM, Malkangiri for commission of offences punishable U/Ss.4, 5, 6 & 7 of the Immoral Traffic (Prevention) Act, 1956, on the main allegation of indulging in immoral act of sex trade.

5. Heard, Mr. Pranab Kumar Das, learned counsel for the petitioner in BLAPL No.12104 of 2025; Mr. Mangu Nandy, learned counsel for the petitioner in BLAPL No.12107 of 2025; Mr.Deepak Kumar Panda, learned counsel for petitioner No.2 in BLAPL No. 12108 of 2025; Mr.Dhananjaya Mund, learned counsel for the petitioner in BLAPL No. 12144 of 2025 and Mr. P.Satapathy, learned Additional Public Prosecutor in the matter and perused the record. On being queried about the criminal antecedent of the petitioners, the aforesaid learned counsels volunteer to withhold bail to the concerned petitioner(s), if he/they is/are found to have any criminal antecedents of similar nature for commission of offence under Immoral Traffic (Prevention) Act.



6. After having considered the rival submissions and taking into consideration the nature and gravity of the offences as alleged against the petitioners vis-à-vis the accusations sought to be brought against them and regard being had to the pre-trial detention of the petitioners in custody since 02.11.2025 with substantial progress in investigation and there being no similar criminal antecedent reported against any of the petitioners and keeping in view the inherent right of the accused to be presumed innocent until proven guilty at the trial and taking into account the other circumstance on record in entirety including the statement of the victim girls, this Court without expressing any opinion on merits admits each of the petitioners to bail.

7. Hence, these four bail applications of the petitioners namely Dhaneswar Sahu in BLAPL No.12104 of 2025, Nipun Dhali in BLAPL No. 12107 of 2025, Santosh Kumar Swain in BLAPL No. 12108 of 2025 and Rahul Nitam in BLAPL No.12144 of 2025 are allowed and each of the petitioners is allowed to go on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) 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.

In view of the specific submission as advanced for the petitioner(s), the benefit of this order shall not be extended to the petitioner(s), if he/they is/are found to



have any criminal antecedent of similar nature for commission of offences under Immoral Traffic (Prevention) Act.

8. Accordingly, these BLAPL Nos.12104, 12107, 12108 & 12144 of 2025 stand disposed of.

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

(G. Satapathy)
Judge

kishore