



IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.133 of 2026

**Nishi Kant Aghria @ Nishi Aghria Petitioners
and others**

Mr. J. Panda, Advocate

-Versus-

State of Orissa & another Opposite Parties

Mr. S.N. Das, ASC
Ms. S. Nanda, Advocate

**CORAM:
MR. JUSTICE R.K. PATTANAİK**

**Order
No.**

**ORDER
23.03.2026**

03. 1. Heard learned counsel for the respective parties.
2. Instant petition has been filed under Section 482 BNSS by the petitioners seeking pre-arrest bail in connection with Golamunda P.S. Case No.185 of 2025 corresponding to C.T. Case No.87 of 2025 pending in the court of learned Additional Sessions Judge-cum-Special Court under POCSO Act, Bhawanipatna on the grounds stated.
3. Perused the FIR as at Annexure-1. The case diary and statement of the victim recorded under Section 183 BNSS has been produced and the same is gone through. From the version of victim under Section 183 BNSS, the Court finds that she was forcibly taken by the petitioners and confined in a house. Mr. Panda, learned counsel for the petitioners submits that the mischief was committed at the behest of petitioner No.1, a relation of the victim, who she has not been sexually harassed.



Recorded the submissions of Ms. Nanda, learned counsel for the informant and also the State. Upon perusal of the victim's statement before the Magistrate, the Court finds that she was physically confined in a house. Nothing adverse or any allegation of sexual mischief has been alleged as against petitioner No.1. In so far as, petitioner Nos.2 to 4 are concerned, they said to have assisted petitioner No.1 during the alleged incident, hence, have been implicated and apprehend arrest in the hands of the local police. Considering the above facts and the reason behind the confinement of the victim revealed by her statement under Section 183 BNSS and that, she was subsequently rescued unhurt and at present, staying with her parents as further informed, this Court, in absence of any antecedent against the accused persons, is inclined to direct their release upon surrender before the learned court below instead of accepting their plea for pre-arrest bail.

4. Accordingly, it is ordered.

5. In the result, the ABLAPL is disposed of with the direction as aforesaid. It is directed that in the event, the petitioners surrender before the learned Additional Sessions Judge-cum-Special Court under POCSO Act, Bhawanipatna in connection with Golamunda P.S. Case No.185 of 2025 corresponding to C.T. Case No.87 of 2025 within a fortnight from today, they shall be released on bail upon furnishing a bail bond of Rs.30,000/-(rupees thirty thousand) each with one solvent surety for the like amount each imposed as deemed just and proper in the facts and circumstances of the case besides



the following, such as, they shall not cause any harm to the victim and her family members and in this regard, petitioner No.1 shall furnish an undertaking at the local PS and all of them shall cooperate the IO in the investigation, till it is over.

6. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge

Rojina