

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.631 of 2020

Laxman Sabar

....

Petitioner

Mr. M.K. Mohapatro, Advocate

-versus-

***State of Odisha
(Vigilance)***

....

Opp. Party

*Mr. M.S. Rizvi,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

11.01.2022

Order No.

02.

This matter is taken up by video conferencing mode.

Heard learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Koraput Vigilance P.S. Case No.35 of 2019 corresponding to G.R.(V) Case No.03 of 2020 pending in the Court of learned Special Judge (Vigilance), Bhawanipatna for alleged commission of offences under section 13(2) read with section 13(1)(b) of the P.C. (Amendment) Act, 2018.

Perused the FIR.

Learned counsel for the petitioner submitted that

the petitioner was the ex-Range Officer, Junagarh Range and after he was granted interim protection as per order dated 29.01.2020, he has cooperated with the investigation and appeared before the Investigating Officer as and when required and he has made attempts to explain away that there are no disproportionate assets with him. It is further submitted that and there is no chance of tampering with the evidence or fleeing away from the course of justice and therefore, the interim order dated 29.01.2020 be made absolute.

Mr. Rizvi, learned Additional Standing Counsel for the Vigilance Department on instruction submitted that the petitioner is cooperating with the investigation.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, the conduct of the petitioner in cooperating with the investigation, it is order that the interim order dated 29.01.2020 is made absolute subject to conditions that the petitioner shall appear before the Investigating Officer as and when noticed and shall cooperate with the investigation and he shall not try to tamper with the evidence. In the event, the petitioner tries to violate any terms and conditions of the anticipatory bail, the prosecuting agency is at liberty to seek appropriate remedy for

cancellation of the anticipatory bail order of the petitioner.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

(S.K. Sahoo)
Judge

RKM

