

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1490 of 2022

Sabita Pradhan

....

Petitioner

Mr. S.K. Palai, Advocate

-versus-

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

....

Opp. Party

*Mrs. Jyotsnarani Tripathy,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
22.02.2022**

**Order
No.**

01.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned Additional Standing Counsel for the Vigilance Department.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with G.R. Case No.09 of 2021(V) arising out of Berhampur Vigilance P.S. Case No.18 of 2021 pending in the Court of learned Additional Sessions Judge -cum- Special Judge (Vigilance), Berhampur for alleged commission of offences under section 13(2) read with sections 13(1)(b)/12 of the Prevention of Corruption (Amendment) Act, 2018.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the petitioner is the wife of a Government servant, who was

working as Constable in Bijepur Outpost under Berhampur Town police station and there is no such material against the petitioner to attract the ingredients of the offences and she has been falsely entangled in the case and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned Additional Standing Counsel for the Vigilance Department, on the other hand, fairly submitted that no custodial interrogation is necessary but the petitioner must cooperate with the investigation and appear before the Investigating Officer as and when required.

Learned counsel for the petitioner submitted that the petitioner is ready and willing to cooperate with the investigation and shall appear before the Investigating Officer as and when required.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner and keeping in view the proviso to section 437(1) Cr.P.C., I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, she shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that she shall appear before the Investigating Officer on receipt of the written notice and she shall cooperate with the investigation and shall further appear before the Investigating Officer as and when required and she shall not try to tamper with the evidence in any manner. If the petitioner fails to appear on

receipt of written notice or does not cooperate with the investigation, 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.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

RKM

