

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.1403 of 2022

Braja Kumar Nayak

....

Petitioner

Mr. D.K.Patra,
Advocate

-versus-

State of Odisha (Vig)

....

Opposite Party

Mrs.J. Tripathy,
Addl. Standing Counsel(Vig)

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

16.3.2022.

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard Mr. D.K.Patra, learned counsel for the Petitioner and Mrs.J. Tripathy, learned Addl. Standing Counsel for the Vigilance Department.
3. The Petitioner is in custody since 10th February, 2022 in connection with Berhampur Vigilance P.S. Case No.1/2022 corresponding to V.G.R. Case No.1/2022 pending in the court of learned Special Judge, Vigilance, Berhampur, for the alleged commission of the offence under Section 7 of the P.C.Act.

4. It is submitted that investigation into the case has progressed in the mean time substantially and practically nothing further remains to be done. That apart, the tainted money was not recovered from the possession of the Petitioner.

5. Mrs. J.Tripathy, learned Addl. Standing Counsel appearing for the Vigilance Department, has opposed the prayer for by submitting that though the tainted money was not recovered from the possession of the Petitioner, yet prior demand and acceptance are well proved from the evidence collected so far and in any case demand was made at the instance of the Petitioner.

6. Considering the submissions as above, the materials on record and the fact that investigation appears to have progressed substantially, I am inclined to allow the prayer for bail.

7. Let the Petitioner be released on bail in the aforesaid case on such terms and conditions as may be imposed by the Court in seisin over the matter including the condition that he shall appear before the trial court on each date of posting of the case without fail, he shall fully co-operate with the Investigating Officer in investigation of the case and he shall appear before the Investigating Officer as and when required by him.

8. The BLAPL is disposed of.

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

AKB

(Sashikanta Mishra)
Judge

