

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**BLAPL No.2504 of 2022**

***Manoj Kumar Behera***

....

***Petitioner***

*Mr. Bidyadhar Manasingh,  
Advocate*

-Versus -

***State of Odisha (Vig.)***

....

***Opposite Party***

*Ms J.R. Tripathy,  
Additional Standing Counsel  
(Vigilance)*

**CORAM:**

**JUSTICE SASHIKANTA MISHRA**

**ORDER**

**19.04.2022**

**Order No.**  
**2.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the Vigilance.
3. The petitioner is in custody since 16.03.2021 in connection with Cuttack Vigilance P.S. Case No.17 of 2022 corresponding to V.G.R. Case No. 12 of 2022 pending in the court of learned Special Judge Vigilance, Cuttack for the alleged commission of offence under Section 13(2) of IPC read with 13(1)(b)/12 of P.C. Act.
4. It is alleged that the petitioner in course of his service under the government had amassed wealth grossly disproportionate to his known sources of income to the extent of 508 percent, which corresponds to more than Rs. 4 crore.
5. It is submitted by Mr. Ratikanta Mohapatra, learned counsel appearing for the petitioner that there is serious discrepancy in the calculation of income as well as assets of the petitioner, inasmuch as certain available sources of income have not been taken into

consideration. For instance, the fact that the petitioner's father had his own sources of income as also his younger brother and of his family members, all of whom are highly placed, have not been taken into consideration. It is further submitted that the petitioner is a permanent resident of Cuttack and in so far investigation is concerned practically, nothing further remains to be done and in any case, the petitioner is ready and willing to cooperate with the investigation as and when required.

6. Ms. J. Tripathy, learned Additional Standing Counsel for Vigilance has opposed the prayer for bail by submitting that since investigation has not yet been concluded, the petitioner may not be released on bail as he may not cooperate with the investigation.

7. Considering the rival submissions as above, this Court finds there is some force in the contentions advanced by learned counsel for the petitioner to the effect that income from other sources also ought to have been taken into consideration. Be that as it may, fact remains that in course of raid on the house of the petitioner all relevant documents and articles were seized and evaluated. Further, the petitioner is a permanent resident of Mahanadi Bihar, Cuttack.

8. Considering the above facts, this Court is inclined to grant bail to the petitioner. The prayer for bail is therefore allowed. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall make himself available as and when required by the IO.

9. The BLAPL is accordingly disposed of.

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

**(Sashikanta Mishra)**  
**Judge**

*B.C. Tudu*

