

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.3254 of 2022

Sabitarani Sahoo

....

Petitioner

Mr. B.K. Ragada, Advocate

-versus-

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

....

Opp. Party

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

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

**ORDER
10.05.2022**

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 V.G.R. Case No.06 of 2022 arising out of Bhubaneswar Vigilance P.S. Case No.03 of 2022 pending in the Court of learned Special Judge, Vigilance, Bhubaneswar 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 the public servant, namely, Rabi Narayan Sahoo, who was the A.S.I. of Police, Mancheswar police station and taken into judicial custody and has been released on bail. It is further submitted that the ingredients of the offences are not attracted against the petitioner and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned Additional Standing Counsel for the Vigilance Department produced the written instruction dated 05.04.2022 of the Inspector of Police, Vigilance/ Investigating Officer, Bhubaneswar Division, Bhubaneswar wherein it is indicated that the custodial interrogation is not required but the petitioner has to cooperate with the investigation of the case. The written instruction is taken on record.

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 fact that the main accused has already been released on bail after his arrest, keeping in view the proviso to section 437(1) Cr.P.C. and taking into account the

nature of accusation against the petitioner, 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 produce the necessary document as sought for by the Investigating Officer 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