

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.3472 of 2022

Padmalochan Sahoo

....

Petitioner

***Mr.Pradeep Kumar Mohapatra,
Advocate***

-versus-

State of Odisha(Vig.)

....

Opposite Party

***Mrs. J.Tripathy, Standing Counsel
for Vigilance.***

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

16.05.2022

Order No.

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1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel.
3. This is an application under Section 439 of the Code of Criminal Procedure filed by the Petitioner for bail in connection with Cutack Vigilance P.S.Case No.23 of 2022 corresponding to V.G.R.Case No.04 of 2022 pending in the Court of the learned Special Judge (Vigilance), Angul for alleged commission of offence under Section 7 of the Prevention of Corruption (Amendment) Act, 2018.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is languishing in custody since 05.04.2022. It is further submitted by the learned counsel for the Petitioner that the Petitioner

has been falsely implicated in the alleged offence due to conspiracy of opposition political party members of Sanahulla Panchayat. It is further submitted by the learned counsel for the Petitioner that since the Petitioner is a permanent inhabitant of Angul district, there is no chance of his absconding or fleeing from receiving justice. He further undertakes to cooperate with the trial and abide by any terms and conditions imposed by this Court.

5. Learned Standing Counsel for Vigilance Department submits that since the bribe money has been recovered from the possession of the Petitioner, who received the said money from the complainant and the investigation is under progress, the prayer for bail of the Petitioner be rejected.

6. Having heard learned counsel for the parties, considering the surrounding circumstances of the case and the period of custodial detention of the Petitioner, I am inclined to grant bail to the Petitioner and it is directed that let the Petitioner be released on bail in the aforesaid case on furnishing a bail bond of Rs.30,000/- (Rupees Thirty thousand) with one local solvent surety each for the like amount to the satisfaction of the learned court in seisin over the matter subject to the following terms and conditions:

- i) he shall not indulge himself in any similar nature of offence.
- ii) shall appear before the trial court on each and every date fixed by the trial court till conclusion of trial.
- iii) shall not tamper with the prosecution evidence.
- iv) shall not influence or threaten any prosecution witnesses while on bail.
- v) he shall appear before the Investigating Officer as and when required by him for the purpose of investigation.

- vi) Violation of any of the terms and conditions shall entail cancellation of bail.
- 7. The court below may impose any other condition(s) as deem fit and proper.
- 8. BLAPL is accordingly disposed of.
- 9. Issue urgent certified copy as per Rules.

RKS

(*A.K. Mohapatra*)
Judge

