

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.4761 of 2022

Dipuna Biswal

Petitioner

....
Mr. D.K.Mohapatra, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

*Mr. M.S.Rizvi, Additional Standing Counsel
For Vigilance department*

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
11.10.2022**

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the Vigilance Department.
3. This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the Petitioner in connection with Cuttack Vigilance cell P.S.Case No.04 of 2021 corresponding to Vigilance G.R.Case No.08 of 2021 pending in the court of the learned Special Judge, Vigilance, Cuttack for alleged commission of offences under Sections 466, 409, 120-B of the Indian Penal Code and Section 13(2) read with Section 13(1)(a) of the P.C.Act.
4. Learned counsel for the Petitioner submitted that one of the co-accused, namely, Abhimanyu Rout who approached this Court in an application under section 438 of Cr.P.C. vide ABLAPL No.11836

of 2021 has already been granted anticipatory bail as per order dated 18.11.2021 and the Petitioner is similarly situated like the said co-accused and therefore, the anticipatory bail application may be favourably considered.

5. Learned counsel for the Vigilance Department does not dispute that the Petitioner is similarly situated like that of the co-accused. He however, submitted that the Petitioner may be directed to appear before the Investigating Officer and cooperate with the investigation.

6. Learned counsel for the Petitioner submits that the Petitioner is ready and willing to appear before the I.O. as and when required and he will cooperate with the investigation.

7. Considering the submission of the learned counsel for the respective parties, the nature of accusation against the Petitioner and release of the co-accused on anticipatory bail, 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, he 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 he shall appear before the Inspector, Vigilance, Cuttack Cell on 19th October, 2022 and cooperate with the investigation and he shall make himself available before the I.O. as and when required but to that effect, notice in writing be served on him in advance. If the Petitioner fails to appear before the I.O. on the date fixed or fails to cooperate with the investigation, the prosecution is free to move an application for cancellation of bail.

8. The ABLAPL is accordingly disposed of.
9. A free copy of this order be supplied to Mr.Rizvi, learned Additional Standing Counsel for Vigilance department.
10. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

RKS

