

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.5868 of 2022

Shantilata Sahoo

....

Petitioner

Mr. P.C. Jena, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mrs. Susamarani Sahoo,
Addl. Standing Counsel*

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

**ORDER
05.07.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the learned counsel for the petitioner and learned Addl. 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 Cuttack Vigilance P.S. Case No. 29 of 2022 corresponding to VGR Case No. 19 of 2022 pending in the Court of learned Special Judge, Vigilance, Cuttack for the commission of the alleged offences punishable under section 13(1)(b) and section 12 of Prevention of Corruption (Amendment) Act, 1988 as amended by the P.C. (Amendment)

Act,2018.

Mr. M.S. Rizvi, learned Addl. Standing Counsel for the Vigilance Department submitted that the husband of the petitioner, namely, Gayadhar Sahoo was a public servant, who was working as Market Sircar, RMC, Jajpur and he has retired from service in the meantime.

Learned counsel for the petitioner has filed the copy of the anticipatory bail application in ABLAPL No.5869 of 2022 in respect of co-accused Gayadhar Sahoo and this Court vide order dated 17.06.2022 granted interim protection to him. Learned counsel for the petitioner further submitted that there are no such materials to attract the ingredients of the offences and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Mr. Rizvi, learned Addl. Standing Counsel for the Vigilance Department submitted that the custodial interrogation of the petitioner is not necessary, but she has to cooperate with the investigation.

Learned counsel for the petitioner submits that the petitioner is ready and willing to cooperate with the investigation.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner and since the petitioner is a lady, keeping in view the proviso to

section 437(1) of Cr.P.C., 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 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.

A free copy of this order be handed over to the learned Additional Standing Counsel for the Vigilance Department.

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

(S.K. Sahoo)
Judge