

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.6024 of 2022

Banamali Kar

....

Petitioner

Mr.D.R. Bhokta, Advocate

-versus-

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

....

Opp. Party

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

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

**ORDER
05.07.2022**

Order No.

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

Heard the learned counsel for the petitioner and learned counsel for the State.

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Jeypore Vigilance P.S. Case No.11 of 2022 corresponding to G.R. Case No.09 of 2022(V) pending in the Court of learned Additional Sessions Judge -cum- Special Judge (Vigilance), Jeypore for commission of the alleged offences punishable under section 13(2) read with section 13(1)(a) of the Prevention of Corruption (Amendment) Act, 2018 and section 409 of the Indian Penal Code.

Perused the first information report annexed to the anticipatory bail application.

Mr. Bhokta, learned counsel for the petitioner submitted that in spite of the best effort of the petitioner, he could not arrange Rs.1,00,00,000/- (rupees one one crore) for depositing before the learned trial Court as per the order dated 22.06.2022.

Considering the misappropriation amount is to the tune of Rs.1,32,19,017/- (rupees one crore thirty two lakhs nineteen thousand and seventeen) and taking into account the submission made by the learned counsel for the petitioner that the petitioner has deposited some money and that the petitioner is ready and willing to deposit Rs.1,00,00,000/- (rupees one crore) before the learned trial Court, the matter was adjourned to 28.06.2022 and on that day, it was also adjourned to today.

In view of the submission made by the learned counsel for the petitioner and further taking into account the nature and gravity of the accusation against the petitioner and the amount of misappropriation, while not inclining to grant anticipatory bail to the petitioner, it is observed that in the event the petitioner surrenders and moves for bail in the Court below within a period of four weeks from today, the same shall be disposed of by the learned Court below in accordance with law expeditiously. The case records shall be made available to the Court

concerned.

The ABLAPL stands disposed of.

A free copy of this order be handed over to Mr. M.S. Rizvi, learned Additional Standing Counsel for the Vigilance Department.

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

(S.K. Sahoo)
Judge

RKM

