

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 4978 of 2022

Jagannath Rout

....

Petitioner

Mr. Yeeshan Mohanty, Sr. Advocate
along with Mr. Pritam Kumar Mohanty,
Advocate

- Versus -

State of Odisha (Vig.)

.... **Opposite Party**

Smt. J. Tripathy, Addl. Standing Counsel
for Vigilance.

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.07.2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. Heard Mr. Yeeshan Mohanty, learned Sr. Counsel for the petitioner and Smt. J. Tripathy, learned Addl. Standing Counsel for the Vigilance.
3. The petitioner is in custody since 06.05.2022 in connection with Cuttack Vigilance P.S. Case No.31 of 2022 corresponding to V.G.R. Case No.20 of 2022 pending in the Court of learned Special Judge (Vigilance), Cuttack for the alleged commission of offence under Section 13(2) read with Sections 13(1)(b)/12 of Prevention of Corruption (Amendment) Act, 2018.
4. It is alleged that the petitioner amassed huge wealth which grossly disproportionate to his known sources of income to the extent of 365%.
5. It is submitted by Mr. Y. Mohanty, learned Senior Counsel that the calculation of the income made by the Vigilance Department is clearly faulty and erroneous, inasmuch as substantial amounts have been left out. For instance, out of 28 plots belonging

to the petitioner and his co-sharers, as many as 20 plots have been sold, the sale proceeds of which comes to nearly ten crores. This amount has not been taken into consideration. So also there are other material discrepancies in calculation of the income and assets of the petitioner.

6. Ms. Tripathy, learned Addl. Standing Counsel for the Vigilance while opposing the prayer for bail has fairly submitted that there is no longer any necessity of custodial interrogation of the petitioner.

7. Considering the submissions as above, the materials on record, the period of detention in custody, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall personally appear before the trial Court on each date of posting of the case without fail. Further he shall make himself available as and when required by the I.O. and shall fully cooperate with the investigation.

8. BLAPL is accordingly disposed of.

9. Issue urgent certified copy as per rules.

(Sashikanta Mishra)
Judge

A.K. Rana