

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8027 of 2022

Balaram Dharua

....

Petitioner

Mr. Mahes Das, Advocate

-versus-

State of Odisha (Vig.)

....

Opposite Party

Mr. M.S. Rizvi, A.S.C.(Vigilance)

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

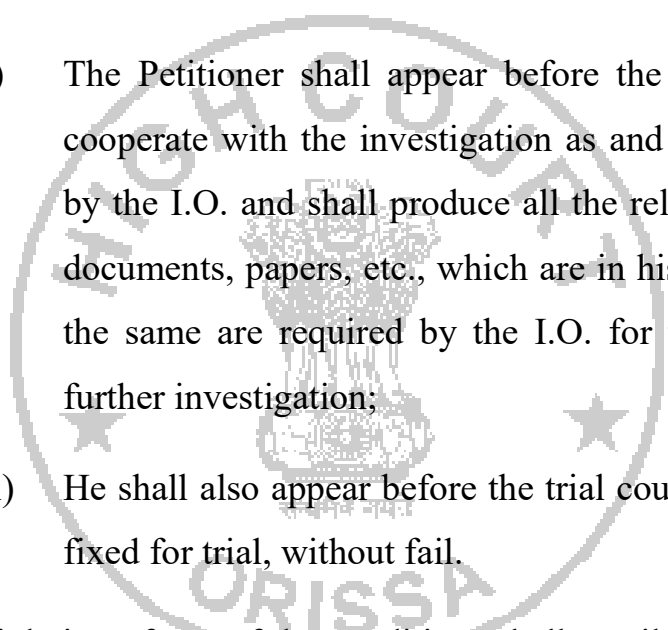
20.10.2022

Order No.

06. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the Vigilance Department.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 13(2) read with Section 13(1)(a) of the Prevention of Corruption Act and Sections 467/468/420/120-B of the I.P.C.
4. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned Special Judge, Vigilance, Balangir in V.G.R. Case No.03 of 2022 arising out of Sambalpur Vigilance P.S. Case No.06 of 2022, within a period of three weeks from today, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just

and proper in the facts and circumstances of the case, but subject to furnishing cash security of Rs.20,000/- (Rupees Twenty Thousand) by the Petitioner to the satisfaction of the learned court in seisin over the matter. The said amount shall be kept in an interest bearing account of any nationalized bank and that amount shall be subject to the final outcome of the trial.

However, while imposing conditions for bail, learned Special Judge, (Vigilance) shall also impose the following additional conditions –

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- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required by the I.O. and shall produce all the relevant records / documents, papers, etc., which are in his possession, if the same are required by the I.O. for the purpose of further investigation;
 - (ii) He shall also appear before the trial court on each date fixed for trial, without fail.

Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

5. The ABLAPL is disposed of accordingly.
6. A free copy of this order be granted to Mr. M.S. Rizvi, learned Addl. Standing Counsel for the Vigilance Department.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge