

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.9667 of 2022

Rasmita Behera @ Debata

....

Petitioner

Mr. Siddhartha Samal, Advocate

-versus-

State of Odisha

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

24.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
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 13(1)(b) / 12 of P.C.(Amendment) Act, 2018.
4. Learned counsel for the Petitioner submits that the present Petitioner is the wife of the principal accused, who has been implicated in D.A. case initiated by the Vigilance Department.
5. Considering the aforesaid fact, nature of the allegation, gravity of the offence and 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 ADJ-cum-Special Court (Vig.), Sundargarh in Vigilance G.R. Case No.14 of 2022 corresponding to Vigilance P.S. Case No.14 of 2022 within a period of three weeks from today, she shall be released on bail on such terms and conditions as the learned ADJ-cum-Special Court (Vig.) may deem just and proper in the facts and circumstances of the case.

While imposing conditions for bail, learned Magistrate shall also impose the following conditions –

- (i) The Petitioner shall appear before the I.O. and shall cooperate with the investigation as and when required.
- (ii) She shall also appear before the learned trial court on each date of trial, without fail.

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

6. The ABLAPL is disposed of accordingly.
7. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge