

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 8230 of 2022

Debadatta Biswal

....

Petitioner

Mr. S. Mohanty, Advocate

-versus-

State of Odisha (Vigilance)

....

Opposite Party

Ms. Tripathy, Advocate
(for Vigilance Dept.)

CORAM: JUSTICE V. NARASINGH

ORDER
13.09.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is accused in Bhubaneswar Vigilance P.S. Case No.27 of 2022 corresponding to VGR Case No.30 of 2022, pending in the file of the learned Special Judge, Vigilance, Bhubaneswar, for alleged commission of offences under Section 7 of P.C.(Amendment) Act, 2018.
4. Being aggrieved by the Rejection of his application for bail U/s.439 Cr.P.C. by the learned Special Judge, Vigilance, Bhubaneswar, by order dated 24.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that since the investigation is primarily based on documentary evidence and the petitioner being in custody since 23.08.2022, his further continuance in custody is uncalled for.

6. Learned counsel for the Vigilance Department, Ms. Tripathy submits, since investigation is at a nascent stage, release of the petitioner shall affect the ongoing investigation and opposes the prayer for bail.

7. Considering the submissions, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

8. It is needless to state that the petitioner shall cooperate with the ongoing investigation.

9. In the event the petitioner does not cooperate, it shall be open to the Investigating Agency to seek variance of this order.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rule.

Ayesha

(V. NARASINGH)
Judge

