

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10914 of 2022

Gangadhar Nayak & others

....

Petitioners

Ms.Suravi Mohanty, Advocate

-versus-

State of Odisha

....

Opp. Party

*Mr.M.S.Rizvi, Standing Counsel for
Vivilance*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

14.09.2022

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioners and the learned Standing Counsel for Vigilance department. Perused the records.
 3. This is an application under Section 438 Cr.P.C. filed by the Petitioners for anticipatory bail.
 4. On instruction, learned Standing Counsel for Vigilance department submits that he has received instruction from the Superintendent of Police, Vigilance, Balasore division vide letter dated 14.09.2022 that the custodial interrogation of the Petitioner is not required. However, presence of the Petitioners before the I.O. and cooperation in the investigation is required.

5. Considering the submissions of the learned Standing Counsel, and the facts of the case, I am not inclined to grant anticipatory bail to the Petitioners. However, it is directed that in the event the Petitioners surrender before the jurisdictional court of Balasore Vigilance P.S.Case No.16 of 2021 within a period of three weeks from today and move for bail, they shall be released on bail on such terms and conditions as would be deemed just and proper by the learned Magistrate with the further conditions that the Petitioners while on bail shall appear before the I.O. as and when required and cooperate with the investigation in Balasore Vigilance P.S.Case No.16 of 2021 and shall appear before the court in seisin over the matter on each and every date fixed. They shall not tamper with the prosecution evidence while on bail. Violation of conditions shall entail cancellation of bail.

6. A free copy of this order be handed over to the learned Standing Counsel for Vigilance department..

6. Accordingly, the ABLAPL is disposed of.

7. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge