

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9085 of 2022

Abhaya Kumar Behera

....

Petitioner

Mr. D.K. Mohanty, Advocate

-versus-

State of Odisha (Vigilance)

....

Opposite Party

Ms. Tripathy, Advocate

CORAM: JUSTICE V. NARASINGH

ORDER
27.09.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard Mr. D.K. Mohanty, learned counsel for the petitioner and Ms. Tripathy, learned counsel for the State.
3. The petitioner is an accused in connection with V.G.R. Case No.07 of 2022, pending in the Court of learned Special Judge (Vigilance), Keonjhar, arising out of Balasore Vigilance P.S. Case No.25 of 2022, for offences under Section 7 of the Prevention of Corruption (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 (Vig), Keonjhar, by order dated 15.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 30.08.2022 and as investigation has progressed substantially, further continuance of the petitioner in custody is unwarranted.

6. It is submitted by the learned counsel for the Vigilance Department that the investigation is at a nascent stage, hence releasing the petitioner at this stage will affect the ongoing investigation.

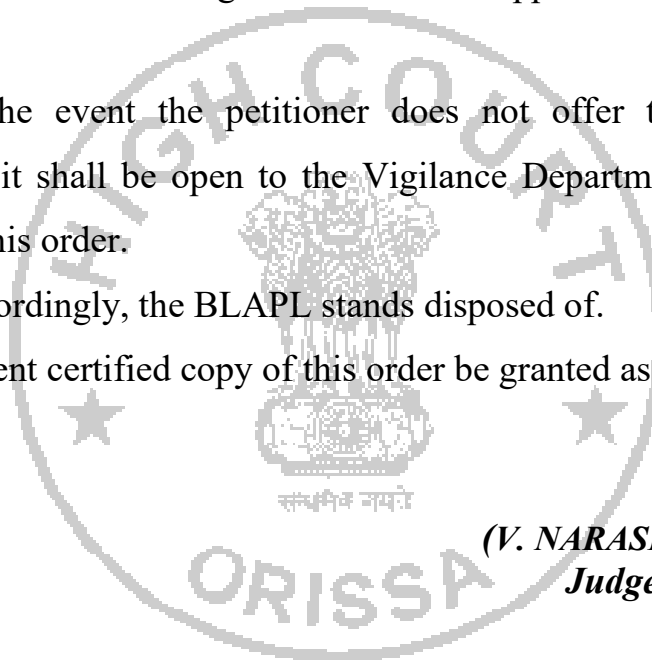
7. Taking into account the nature of allegations which more or less documentary in nature, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. Additionally it is directed that the petitioner shall cooperate with the investigation and shall appear as and when summoned.

9. In the event the petitioner does not offer the desired cooperation, it shall be open to the Vigilance Department 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.



(V. NARASINGH)
Judge

Ayesha