

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9273 of 2022

Jogendra Majhi

....

Petitioner

Mr. D.P. Dhal, Advocate

-versus-

State of Odisha (Vig)

....

Opposite Party

Ms. B. Tripathy, Advocate (Vigilance)

CORAM: JUSTICE V. NARASINGH

ORDER
13.10.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard Mr. Dhal, learned senior counsel for the petitioner and Ms. B. Tripathy, learned counsel for the Vigilance Department.
3. The petitioner is an accused in connection with VGR Case No.6 of 2022, pending in the Court of learned Sessions Judge-cum-Special Judge, Vigilance, Bhawanipatna arising out of Jeypore Vigilance P.S. Case No.29 of 2022, for alleged commission of offences under Sections 13(2) read with Section 13(1)(b) 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 Sessions Judge-cum-Special Judge, Vigilance, Bhawanipatna by order dated 19.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that taking into account the nature of accusation and progress in

investigation, further continuance of the petitioner in custody is unwarranted.

6. It is submitted that the petitioner is a Government employee and there is no scope of his absconding in the ongoing investigation.

7. Learned counsel for the Vigilance Department opposes the prayer for bail on the ground that the petitioner ought not to be released on bail since the investigation is at the nascent stage.

8. Considering the nature of accusation and progress of investigation, this Court feels that further continuance of the petitioner in custody is unwarranted. Hence 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.

9. Taking into account the concern expressed by the learned counsel for the Vigilance Department regarding release of the petitioner pending submission of final form, it is directed that the petitioner shall appear before the Investigating Officer as and when required. It shall be open to the Vigilance Department to seek variance of the order, if the petitioner does not extend the desired cooperation.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge