

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12762 of 2022

Nakula Pradhan

....

Petitioner

Mr. Pravash Chandra Jena, Advocate

-versus-

State of Odisha (Vig.)

....

Opposite Party

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

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

30.09.2022

Order No.

01. 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 Vigilance Department.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 409/420/467/471/120-B, I.P.C. and Sections 13(2), 13(1)(a) & 12 of the Prevention of Corruption Act.
4. Considering the seriousness of the allegation, gravity of the offence and the 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 1st Addl. Sessions Judge-cum-Special Judge, Vigilance, Bhubaneswar in VGR Case No.12 of 2021 corresponding to Bhubaneswar Vigilance P.S. Case No.12 of 2021 within a period of three weeks from today, he shall be released on bail on such terms

and conditions as the learned 1st Addl. Sessions Judge-cum-Special Judge, Vigilance, Bhubaneswar may deem just and proper in the facts and circumstances of the case, but subject to verification of the Criminal Antecedents of the Petitioner. If it is found that there is more than one criminal antecedent of similar nature against the Petitioner, then this bail order shall stand automatically revoked.

The Case Diary and Criminal Antecedent Report of the Petitioner be made available to the learned Special Judge for consideration of the bail application of the Petitioner on the date of his surrender.

However, while imposing conditions for bail, learned Special Judge shall also impose the following additional conditions –

- (i) The Petitioner shall appear before the I.O. with all relevant records / documents kept in his possession and shall cooperate with the investigation as and when required by the I.O.;
- (ii) He shall also appear before the learned trial court on each date fixed for trial, without fail.

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

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

(A.K. Mohapatra)
Judge