

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9718 of 2022

Ramakanta Behera

....

Petitioner

Mr. P.K. Nanda, Advocate

-versus-

State of Odisha (Vigilance)

....

Opposite Party

Ms. B.N. Tripathy, Advocate

CORAM: JUSTICE V. NARASINGH

ORDER
26.10.2022

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 an accused in connection with V.G.R. Case No.33 of 2022, pending before the learned Special Judge, Vigilance, Bhubaneswar, arising out of Bhubaneswar Vigilance P.S. Case No.30 of 2022, for alleged commission of 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, Vigilance, Bhubaneswar, by order dated 28.09.2022 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 27.09.2022 and as investigation

has progressed substantially, further continuance of the petitioner in custody is unwarranted.

6. Ms. Tripathy, learned counsel for the Vigilance Department submitted that since investigation is at a nascent stage, the petitioner ought not to be released on bail as it will affect the ongoing investigation.

7. Considering the progress in investigation, 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. The legitimate concern expressed by the learned counsel for the Vigilance Department can be addressed by putting the petitioner to terms and additionally it is directed that the petitioner shall appear before the Vigilance Authorities as and when summoned and it shall be open to the Vigilance Department to seek variance of the order, if the petitioner does not cooperate with the ongoing investigation.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha