

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 9870 of 2022

Kulamani Patel

....

Petitioner

Mr. B. Sahoo, Advocate

-versus-

State of Orissa (Vigilance)

....

Opposite Party

Ms. B.N. Tripathy, Advocate

CORAM: JUSTICE V. NARASINGH

ORDER
27.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the Vigilance Department.
3. The petitioner is an accused in connection with Vigilance G.R. Case No.17 of 2022, pending in the file of the learned Addl. Sessions Judge (Vigilance) -cum- Special Judge(Vigilance), Sudargarh, arising out of Rourkela Vigilance P.S. Case No.20 of 2022, for alleged commission of offences under Section 13(2) read with 13(1)(b)/12 of P.C(Amendment) Act.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Addl. Sessions Judge (Vigilance)-cum-Special Judge (Vigilance), by order dated 30.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the allegation is for having assets disproportionate to known

sources of income for which the petitioner is in custody since 29.09.2022 and investigation has progressed substantially, further continuance of the petitioner in custody is uncalled for.

6. Learned counsel for the Vigilance Department opposes the prayer inter alia on the ground that investigation has revealed that D.A. prima facie is to the tune of 253% and hence the petitioner ought not to be released at least till conclusion of investigation.

7. Considering that the nature of allegations are more or less based on documentary evidence and substantial progress in investigation as submitted by the learned counsel for the petitioner and there being no chance of the petitioner escaping the rigors of law, 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. It is needless to state that the petitioner shall co-operate with the investigation.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha