

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10047 of 2022

Bishnu Charan Parida

....

Petitioner

Mr. P. Acharya, Sr. Advocate

Mr. S.S. Tripathy, Advocate

-versus-

State of Odisha (Vig)

....

Opposite Party

Ms. J. Tripathy, Adv (Vigilance)

CORAM: JUSTICE V. NARASINGH

ORDER

31.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard Mr. Acharya, learned senior counsel instructed by Mr. S.S. Tripathy, learned counsel for the petitioner and Ms. Tripathy, learned counsel for the Vigilance Department.
3. The petitioner is an accused in V.G.R. Case No.34 of 2022, pending in the file of learned Special Judge, (Vigilance), Bhubaneswar, arising out of Vigilance Cell P.S. Cuttack Case No. 07 of 2022, for alleged commission of offence under Sections 7 of the Prevention of Corruption Act and is in custody since 29.09.2022.
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 30.09.2022 in the aforementioned case, the present BLAPL has been filed.

5. It is submitted by learned senior counsel on instruction that the petitioner is in custody since 29.09.2022 and as investigation has progressed substantially, further continuance of the petitioner in custody is not warranted.

6. Ms. Tripathy, learned counsel for the Vigilance Department submits that taking into account the nature of allegations and the investigation being at a crucial stage, enlargement of the petitioner on bail, will impede further investigation and hence opposes the release.

7. Taking into account the period of custody, nature of allegations and being cognizant of the fact that the petitioner is a Civil Servant and there is less chance of his fleeing justice, 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 appear before the I.O. once every week till submission of final form. Date and time of such appearance shall be fixed by the learned Court in seisin over the matter. It shall be open to the Vigilance Authority to seek variance of the order, in the event the petitioner does not cooperate with the investigation.

9. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge