

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10138 of 2022

Manas Ranjan Samal

....

Petitioner

Mr. D. Nayak, Advocate

Mr. P. Nayak, Advocate

-versus-

State of Orissa (Vigilance)

....

Opposite Party

Mr. M.S. Rizvi, ASC(Vig.)

CORAM: JUSTICE V. NARASINGH

ORDER

14.11.2022

Order No.

02.

1. This matter is taken up through hybrid mode.
2. Heard Mr. D. Nayak, learned senior counsel assisted by Mr. P. Nayak, learned counsel for the petitioner and Mr. M.S. Rizvi, learned ASC for the Vigilance Department.
3. The petitioner is an accused in connection with V.G.R. Case No.36 of 2022, pending before the Court of the learned Special Judge Vigilance, Bhubaneswar, arising out of Bhubaneswar Vigilance P.S. Case No.32 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 Special Judge Vigilance, Bhubaneswar, by order dated 11.10.2022 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 11.10.2022 and since investigation

has progressed substantially and the allegation being more or less based on documentary evidence, further continuance of the petitioner in custody is unwarranted.

6. Mr. Rizvi, learned ASC for the Vigilance Department opposes the prayer for bail inter alia submitting that keeping in view the clout of the petitioner, he ought not to be released on bail at this stage pending submission of the final form.

7. Considering the nature of allegations and the period of custody and that the petitioner is a Government servant, 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. To allay the legitimate apprehension of the learned Counsel for the Vigilance Department, it is directed that the petitioner shall appear before the Investigating Officer as and when summoned and he shall not leave the State of Odisha without the express permission of the Court in seisin till the submission of final form.

9. It shall be open to the Investigating Agency to seek variance of this order, in the event the petitioner does not extend the desired co-operation.

10. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha