

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13383 of 2022

Madhusmita Senapati

Petitioner

....
Mr.Trilochan Barik, Advocate

-versus-

State of Odisha (Vig.)

.... ***Opposite Party***
*Mr.M.S.Rizvi, Standing Counsel
for Vigilance.*

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER
21.10.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Addl. Standing Counsel for the State. Perused the records.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 13(2) read with Section 13(1)(a) of P.C.(Amendment) Act, 2018 and Section 409, 468, 471 of the Indian Penal Code.
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 Special Judge (Vigilance), Balasore in VGR No.13 of 2022 arising out of Balasore Vigilance P.S.Case No.29 of 2022 within a period of three weeks from today, she shall be released on bail on such terms and conditions as the learned Special Judge may deem just and proper in the facts and circumstances of the case, but subject to

furnishing a cash security of Rs.20,000/- (Rupees Twenty thousand) without prejudice to the rights and contentions of the Petitioner. The cash security so deposited be kept in any Nationalised Bank in an interest bearing account in the name of the court in seisin over the matter, which shall be subject to the outcome of the trial.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The Petitioner shall cooperate with the investigation and appear before the I.O. as and when required by the I.O.;
- (ii) She shall not indulge in similar nature of criminal offence while on bail;
- (iii) She shall not tamper with the prosecution evidence while on bail;
- (iv) She shall appear before the trial court on each and every date fixed.

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

6. The ABLAPL is disposed of accordingly.

7. A free copy of this order be supplied to Mr.Rizvi, learned Standing Counsel for Vigilance department.

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

(A.K. Mohapatra)
Judge