

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10255 of 2022

Karunakar Sethi

....

Petitioner

Mr. K.C. Satapathy, Advocate

-versus-

State of Orissa (Vigilance)

....

Opposite Party

Ms. J.R. Tripathy, ASC(Vig.)

CORAM: JUSTICE V. NARASINGH

ORDER
09.11.2022

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.12 of 2022, pending in the Court of the learned Special Judge (Vigilance), Balasore, arising out of Balasore Vigilance P.S. Case No.26 of 2022, for alleged commission of offences under Section 7/13(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), Balasore, by order dated 15.10.2022 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 not the principal accused, only because of his

relationship with the principal accused as the brother-in-law, he has been arrayed as an accused in the case at hand.

6. It is submitted that since principal accused has already been released on bail by this Court by order dated 04.11.2022 in BLAPL No.10206 of 2022, hence his further continuance in custody is unwarranted.

7. Learned counsel for the Vigilance Department opposes the prayer for bail.

8. Considering that the petitioner is in custody since 29.09.2022 and the progress in the investigation and release of the co-accused, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

9. 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 on such date and time as specified by the learned Court in seisin over the matter and he shall co-operate with the investigation and shall not leave the jurisdiction of the Court in seisin till submission of final form.

10. It shall be open to the Investigating Agency to seek variance of this order, in the event the petitioner does not co-operate.

11. Accordingly, the BLAPL stands disposed of.

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

(V. NARASINGH)
Judge

Ayesha