

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10505 of 2022

Mahesh Prasad Patnaik

....

Petitioner

Mr. R. Achary, Advocate

-versus-

State of Odisha

....

Opposite Party

Ms. J. Tripathy, Adv (Vigilance)

CORAM: JUSTICE V. NARASINGH

ORDER

13.12.2022

Order No.

01.

1. Heard learned counsel for the petitioner and learned counsel for the Vigilance Department.
2. The petitioner is an accused in VGR Case No.38 of 2022, pending in the file of learned Spl. Judge (Vigilance) Bhubaneswar, arising out of Bhubaneswar Vigilance P.S. Case No.34 of 2022, for commission of alleged offences under Sections 13(2) read with Section 13(1)(b)/12 of P.C. Act and is in custody since 15.10.2022.
3. 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 18.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted that the petitioner is in custody since 15.10.2022 and as investigation has substantially progressed and is based on documentary evidence, further continuance of the petitioner in custody is not warranted.

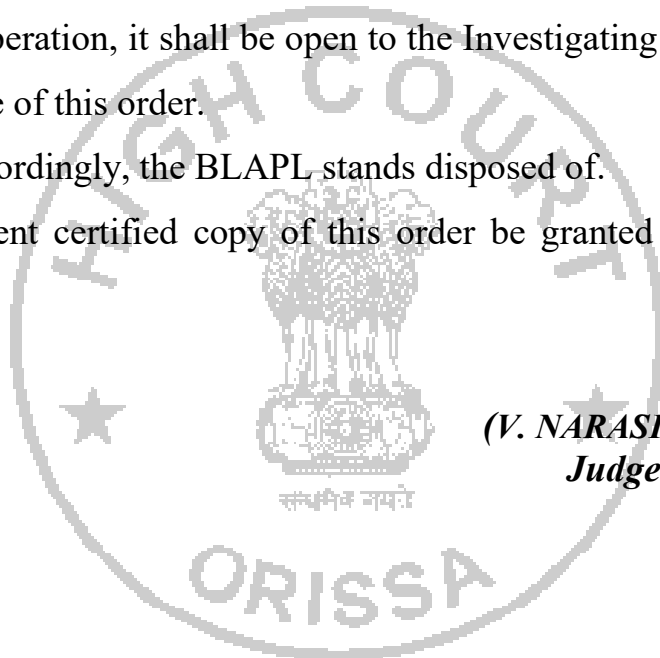
5. Learned counsel for the Vigilance Department opposes the prayer for release during the currency of investigation, though she does not dispute that the investigation is at its fag end.

6. Considering that the allegation is more or less based on documentary evidence and substantial progress in the investigation as submitted, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

7. It is needless to state that the petitioner shall cooperate with investigation and in the event the petitioner does not extend desired co-operation, it shall be open to the Investigating Agency to seek variance of this order.

8. Accordingly, the BLAPL stands disposed of.

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



(V. NARASINGH)
Judge

Santoshi