

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14193 of 2022

Hemakanta Behera

Petitioner
....
Mr. D.P. Dhal, Advocate

-versus-

State of Odisha

Opposite Party
....
Mrs. J. Tripathy, A.S.C.(Vigilance)

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
22.11.2022**

Order No.

02.

1. Heard learned counsel for the Petitioner and the learned A.S.C. Mrs J. Tripathy for the Vigilance Department.

2. By means of this application U/s.438 Cr.P.C., the Petitioner seeks for grant of bail in apprehension of arrest for his alleged involvement in the offences U/s. 13(2) read with Section 13(1)(a) of the P.C. (Amendment) Act read with Sections 409/468/471, I.P.C. in connection with Balasore Vigilance P.S. Case No.29 of 2022 corresponding to V.G.R. Case No.13 of 2022 pending in the court of learned Special Judge (Vigilance), Balasore.

3. Learned counsel for the Petitioner submits that the substantial allegation is against accused Sairun Bibi, as named in the F.I.R. and one Madhusmita Senapati, who have since been released on bail vide order dated 19.10.2022 passed in ABLAPL No.13388 of 2022

and order dated 21.10.2022 passed in ABLAPL No.13383 of 2022 which the learned ASC accepted.

4. Having regard to the submissions of the parties and the nature of allegations as emerged from the materials on record, and further the circumstances appearing, the seriousness and gravity of the offence, while this court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioner surrenders and moves for bail before the learned Special Judge (Vigilance), Balasore in the aforesaid V.G.R. Case within a period of three weeks hence, he shall be admitted to bail on such terms and conditions as would be deemed just and proper by the said court besides the conditions that (i) he shall appear before the I.O. with all the relevant records and documents as would be necessary for the purpose of investigation desired in the case and shall cooperate with the investigation as per law, as and when required;

(ii) Violation of any of the conditions shall entail cancellation of the bail automatically.

5. The ABLAPL is disposed of accordingly.

(Chittaranjan Dash)
Judge

S.K. Parida