

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15528 of 2021

Geetanjali Ratha* *Petitioner

Mr.T. Panigrahi, Advocate

-versus-

State of Odisha(Vig.)* *Opp. Party

M.S. Rizvi

Addl. Standing Counsel (Vig.)

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
04.01.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the Vigilance Department.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Berhampur Vigilance P.S. Case No.26 of 2014 corresponding to G.R. Case No.17 of 2014 pending in the Court of learned Special Judge, Vigilance, Berhampur for alleged commission of offences under section 13(2) read with section 13(1)(e) of the P.C. Act.

Learned counsel for the petitioner submitted that the main allegation is against the co-accused Kalu Charan Ratha, who is a public servant and

happens to be the husband of the petitioner and he has already been released on anticipatory bail by this Court in ABLAPL No. 13495 of 2014 as per order dated 21.07.2014, copy of the bail order has been annexed to the application as Annexure-2. Learned counsel further submitted that there is no such accusation against the petitioner to make out a case of disproportion of assets or to have abetted her husband in the commission of the crime and therefore, the anticipatory bail application may be favourably considered.

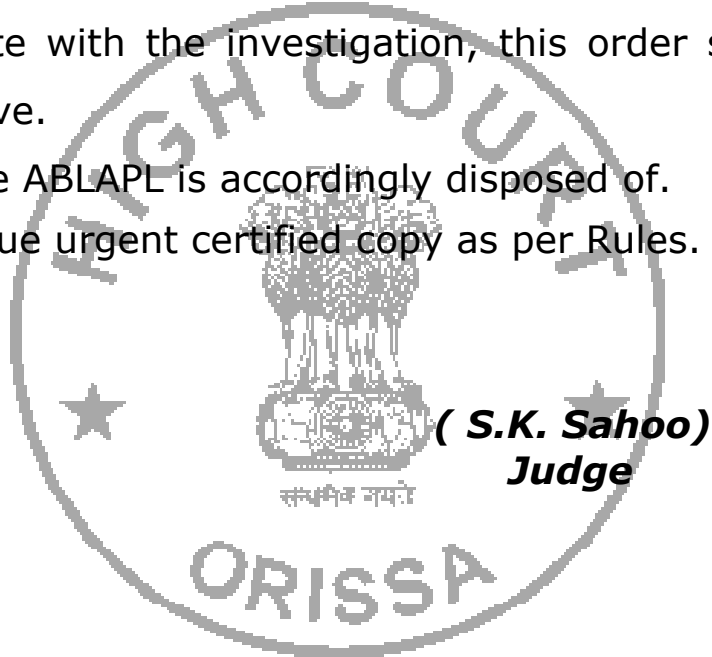
Learned counsel for the Vigilance Department, on the other hand, submitted that the petitioner is not complying with the notice under section 91 of the Cr.P.C.

Learned counsel for the petitioner submits that the petitioner is ready and willing to appear before the I.O. as and when required and she will cooperate with the investigation.

Considering the submission of the learned counsel for the respective parties, the nature of accusation against the petitioner, release of the co-accused on anticipatory bail and keeping in view the proviso to section 437(1) of Cr.P.C., I am inclined to release the petitioner on anticipatory bail and accordingly, this Court directs that in the event of arrest of the petitioner in connection with the aforesaid case, she shall be released on bail on

furnishing bail bond of Rs.10,000/-(Rupees ten thousand) with two sureties each for the like amount to the satisfaction of the arresting officer with further conditions that she shall appear before the Inspector, Vigilance, Berhampur on 17th January 2022 and cooperate with the investigation and she shall make herself available before the I.O. as and when required and to that effect, notice in writing be served on her in advance. If the petitioner fails to appear before the I.O. on the date fixed or fails to cooperate with the investigation, this order shall be ineffective.

The ABLAPL is accordingly disposed of.
Issue urgent certified copy as per Rules.



PKSahoo