

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15756 of 2021

Pranaya Kumar Pattnaik* *Petitioner

Mr.M.K. Mohapatra, Advocate

-versus-

State of Odisha* *Opp. Party

M.S. Rizvi

Addl. Standing Counsel (Vig.)

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

**ORDER
05.01.2022**

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 Bhubaneswar Vigilance P.S. Case No.35 of 2021 corresponding to V.G.R. Case No.38 of 2014 pending in the Court of learned Special Judge, Vigilance, Bhubaneswar for alleged commission of offences under sections 7(a), 13(2) read with section 13(1)(b) of the P.C. Act.

Learned counsel for the petitioner submitted that the petitioner was arrested in connection with a trap case, which was instituted on 05.11.2021 and

after remaining in custody, he was released on bail on 11.11.2021 and on the very next day, the present F.I.R. was lodged on the accusation that on the date of trap an amount of Rs.1,45,000/- (rupees one lakh forty five thousand) was recovered from the office drawer of the petitioner. Learned counsel further contended that Annexure-3 is a document, which shows that the petitioner has withdrawn some amount and therefore, it cannot be said that the money seized was an ill-gotten money and moreover, the petitioner is ready and willing to cooperate with the investigation and therefore, the anticipatory bail application may be favourably considered.

Learned counsel for the Vigilance Department, on the other hand, opposed the prayer for bail and submitted that the interrogation of the petitioner is very much necessary.

Considering the submission of the learned counsel for the respective parties and the nature of accusation against the petitioner, 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 he shall appear before

the Inspector, Vigilance, Bhubaneswar on 10th January 2022 and cooperate with the investigation and he shall make himself available before the I.O. as and when required and to that effect, notice in writing be served on him in advance. If the petitioner fails to appear before the I.O. on the date fixed or fails to cooperate with the investigation, the prosecution is free to take steps for cancellation of bail.

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

(S.K. Sahoo)
Judge

PKSahoo

