

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15845 of 2021

Kunidei Nial @ Nag* *Petitioner

Mr. S.K. Joshi, Advocate

-versus-

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

*Mr.M.S. Rizvi,
Addl. Standing Counsel (Vig.)*

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

ORDER

07.04.2022

Order No.

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

This is an application under section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in connection with Sambalpur Vigilance P.S. Case No. 38 of 2021 corresponding to Special GR Case No. 22 of 2021 pending in the Court of learned Special Judge, Vigilance, Bolangir for the commission of the alleged offences punishable under sections 13(2) read with section 13(1)(b) and section 12 of Prevention of Corruption (Amendment) Act.

Mr. M.S. Rizvi, learned Addl. Standing Counsel for the Vigilance Department submitted that the husband of the petitioner, namely, Ramesh Prasad Nag is a public servant working as Section Officer in

the office of the Sub-Collector, Sonepur and was arrested during the course of investigation and in the meantime, he has been released on bail by the learned Special Judge (Vigilance), Bolangir. It is further submitted by Mr. Rizvi that the petitioner appeared before the Investigating Officer and cooperated with the investigation and her custodial interrogation is not necessary, but she has to cooperate with the investigation.

Learned counsel for the petitioner submits that the petitioner is ready and willing to cooperate with the investigation.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner, the fact that the co-accused has already been released on bail and since the petitioner is a lady, 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 make herself available for interrogation by the I.O. as and when required and for that purpose a notice in writing shall

be served on her in advance and she shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing any facts to the Courts or to the Investigating Officer.

The ABLAPL is accordingly disposed of.

Issue urgent certified copy as per Rules.

A free copy of this order shall be handed over to the learned counsel for the Vigilance Department.

(S.K. Sahoo)
Judge



PKSahoo