

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16034 of 2021

Pandaba Sahu

....

Petitioner

Mr. B. Mansingh, Advocate

-versus-

***State of Odisha
(Vigilance)***

....

Opp. Party

*Mr. M.S. Rizvi,
Addl. Standing Counsel*

CORAM:

JUSTICE S.K. SAHOO

ORDER

12.01.2022

Order No.

01.

This matter is taken up by video conferencing mode.

Heard learned counsel for the petitioner and learned Additional Standing 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 V.G.R. Case No.26 of 2021 arising out of Sambalpur Vigilance P.S. Case No.39 of 2021 pending in the Court of learned Special Judge (Vigilance), Sambalpur for alleged commission of offences under section 13(2) read with sections 13(1)(b)/12 of the Prevention of Corruption (Amendment) Act, 2018.

Perused the F.I.R.

Learned counsel for the petitioner submitted that the wife of the petitioner is the Programme Officer -cum- In-charge D.S.W.O., Bargarh and in the case of disproportionate assets, she was taken into custody and she has already been released on bail and there is nothing against the petitioner but he has been falsely arrayed as an accused and therefore, the anticipatory bail application of the petitioner may be favourably considered.

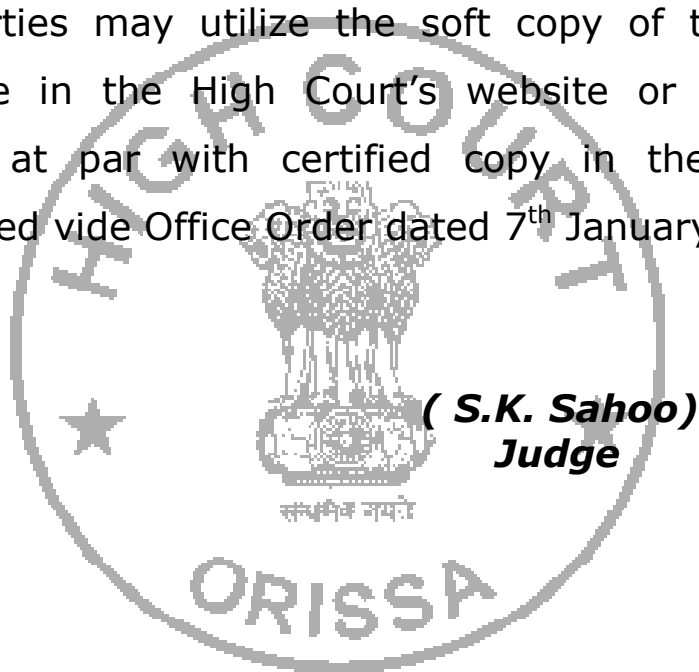
Learned Additional Standing Counsel for the Vigilance Department does not dispute about the release of the public servant on bail, however, he submitted that the interrogation of the petitioner is very much necessary.

Considering the submissions made by the respective parties, the nature of accusation against the petitioner and the release of the co-accused on bail, 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, he shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties for the like amount to the satisfaction of the arresting officer with further conditions that he shall appear before the Investigating Officer on 24.01.2022 and he shall

cooperate with the investigation and shall further appear before the Investigating Officer as and when required but to that effect, written intimation has been served on the petitioner. If the petitioner fails to appear on the date fixed or does not cooperate with the investigation, the prosecuting agency is at liberty to seek appropriate remedy for cancellation of the anticipatory bail order of the petitioner.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.



RKM