

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11046 of 2021

Jayanta Kumar Das

....

Petitioner

*Mr. D. Nayak, Senior Advocate
along with Mr. S. Mohanthy,
Advocate*

-Versus -

State of Odisha (Vig.)

....

Opposite Party

*Mrs. J.R. Tripathy, ASC
for Vigilance*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

31.01.2022

Order No.

2.

1. This matter is taken up through virtual mode.
2. Heard Mr. D. Nayak, learned Senior Counsel for the petitioner and Mrs. J.R. Tripathy, learned Additional Standing Counsel appearing for the Vigilance.
3. The petitioner is in custody since 05.12.2021 in connection with Vigilance P.S. Case No. 41 of 2021 corresponding to VGR Case No. 45 of 2021 pending in the court of learned Special Judge, Vigilance, Bhubaneswar for the alleged commission of offence under Section 13(2) of IPC read with 13(1)(b)/12 of Prevention of Corruption Act.
4. The allegation against the petitioner is that he amassed wealth grossly disproportionate to his known sources of his income to the extent of 137 percent thereof.
5. Learned Senior Counsel submits that the petitioner's wife is a teacher since last 30 years and also has several other ancestral properties including the agricultural lands, the income from which have not been

taken into consideration while calculating the extent of his assets.

6. Mrs. J.R. Tripathy, learned Additional Standing Counsel for the Vigilance has opposed the prayer for bail by submitting that investigation into the case is in progress and in any case, all the contentions of the petitioner have been duly considered by learned court below while rejecting the prayer for bail.

7. Having regard to the fact that all necessary steps appear to have been taken during investigation which has progressed substantially and in the absence of any compelling legal necessity to detain the petitioner any longer, I am inclined to allow the prayer for bail. Let the petitioner be released on bail on such terms and conditions as the court in seisin over the matter may deem fit and proper to impose including the condition that he shall make himself available as and when required by the IO and shall fully cooperate with the investigation.

8. The BLAPL is accordingly disposed of.

9. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.

(Sashikanta Mishra)
Judge