

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 16312 of 2021

Indira Pradhan

....

Petitioner

Mr.S. K. Dash, Advocate

-versus-

State of Odisha (Vig.)

....

Opp. Party

Mr. M.S. Rizvi,

Addl. Standing Counsel (Vig.)

CORAM:

JUSTICE S.K. SAHOO

ORDER

20.01.2022

Order No.

01.

This matter is taken up by video conferencing mode.

Heard learned counsel for the petitioner and Mr. M.S. Rizvi, 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 G.R. Case No.10 of 2021 (V) arising out of Berhampur Vigilance P.S. Case No.19 of 2021 pending in the Court of learned Special Judge (Vigilance), Berhampur for alleged commission of offences under section 13(2) read with sections 13(1)(b)/12 of the Prevention of Corruption

(Amendment) Act, 2018.

Learned counsel for the petitioner submitted that the petitioner is the wife of one Ganesh Pradhan who was working as a Forester in the office of Nuagada Forest Section under R. Udayagiri, Forest Range, Gajapati and in a disproportionate assets case, the husband of the petitioner has already been taken into custody. It is further submitted that merely because the petitioner is the wife of a public servant, she has been falsely entangled in the case and the ingredients of the offences are not made out against her and the petitioner is ready and willing to co-operate with the investigation and therefore, the anticipatory bail application of the petitioner may be favourably considered.

Learned Additional Standing Counsel for the Vigilance Department has pointed out from the first information report regarding the value of the immovable as well as movable assets standing in the name of the petitioner. He further submitted that he has received instruction that the custodial interrogation of the petitioner is not necessary but her interrogation is necessary.

Considering the submissions made by the learned counsel for the respective parties, the nature of accusation against the petitioner 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 appear before the Investigating Officer as and when required but to that effect, written intimation shall be served on the petitioner and she shall not try to tamper with the evidence. If the petitioner fails to appear on the date fixed in spite of written notice 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.

(S.K. Sahoo)
Judge