

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 11599 of 2021

Sahadev Parida

....

Petitioner

*Mr. D. Nayak, Senior Advocate
along with Mr. B.K. Das,
Advocate*

-Versus -

State of Odisha (Vig.)

....

Opposite Party

*Ms. J. Tripathy,
Addl. Standing Counsel
(For Vigilance)*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
19.01.2022

I.A. No. 29 of 2022

Order No.
01.

1. This matter is taken up through virtual mode.
2. Learned Senior Counsel submits that he does not want to press the I.A., which is therefore dismissed as not pressed.
3. The I.A. is accordingly disposed of.

(Sashikanta Mishra)
Judge

BLAPL No. 11599 of 2021

Order No.
02.

1. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State.
2. The petitioner is in custody since 08.12.2021 in connection with Cuttack Vigilance P.S. Case No. 37 of 2021

corresponding to V.G.R. Case No. 22 of 2021 pending in the court of learned Special Judge, Vigilance, Cuttack for the alleged commission of offence under Sections 13(2) read with 13(1)(b)/12 of the Prevention of Corruption Act.

4. The allegation is that the petitioner amassed assets worth Rs.1,38,70,873/-, which is said to be grossly disproportionate to his known sources of his income to the extent of 233%.

5. It is submitted by Mr. Nayak, learned Senior Counsel that the petitioner's house was raided just after the marriage ceremony of his daughter and despite his protest several gift items including cash presented to his daughter in marriage were included only to exaggerate the alleged D.A. amount.

6. Ms. J. Tripathy, learned Additional Standing Counsel appearing for the Vigilance has opposed the prayer for bail by submitting that investigation into the case is in progress and therefore if released, the petitioner may interfere therewith.

7. Having consider the rival submissions, the materials on record, the period of detention already undergone and in particular having regard to the fact that the detention of the petitioner in custody does not appear to be necessary since investigation has in the meantime progressed substantially with all necessary items having been seized, 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 I.O. 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

B.C. Tudu

