

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16871 of 2021

Jalandhara @ Jalandhar Petitioner
Behera

Mr. Gautam Misra,
Senior Advocate

-versus-

State of Odisha Opp. Party
(Vigilance)

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

CORAM:

JUSTICE S.K. SAHOO

ORDER

27.01.2022

Order No.

01. This matter is taken up by video conferencing mode.

Heard Mr. Gautam Misra, learned Senior Advocate appearing 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.07 of 2015 arising out of Berhampur Vigilance P.S. Case No.13 of 2015 pending in the Court of learned Special Judge (Vigilance), Berhampur for alleged commission of offences under

section 13(2) read with sections 13(1)(c)(d) of the Prevention of Corruption Act, 1988 and sections 409/120-B of the Indian Penal Code.

Perused the F.I.R.

Mr. Rizvi, learned Additional Standing Counsel for the Vigilance Department on instruction submitted that the petitioner's interrogation is necessary but not the custodial interrogation.

In view of the nature of allegation against the petitioner and the amount involved in the case and the fact that the petitioner was the ex-VLW, 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 each for the like amount to the satisfaction of the arresting officer with further conditions that he shall appear before the Investigating Officer on receipt of the written notice and he shall cooperate with the investigation and shall further appear before the Investigating Officer as and when required and he shall not try to tamper with the evidence in any manner. If the petitioner fails to appear on receipt 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

RKM

