



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No. 274 of 2026

Amar Kumar Das ***Appellant***

Mr. Dhananjaya Mund, Advocate

-versus-

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

Mr. Sanjay Kumar Das,
Standing Counsel (Vigilance)

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

24.03.2026

Order No.

(Through hybrid Mode)

02. 1. Heard.
2. By judgment and order dated 27.02.2026 of the learned Additional Sessions Judge -cum- Special Judge (Vigilance), Bhawanipatna, District- Kalahandi in G.R. (Vigilance) Case No. 48 of 2009 (T.R. Case No.39 of 2011) arising out of Koraput Vigilance P.S. Case No.48 of 2009, the Appellant-Petitioner has been convicted for commission of offences under Sections 13(2) read with Section 13(1)(d) and Section 7 of the Prevention of Corruption Act, 1988 and sentenced to undergo R.I. for a period of three years and to pay a fine of Rs.20,000/- (rupees twenty thousand only), in default, to undergo further S.I. for a period of



three months for the offence under Sections 13(2) read with Section 13(1)(d) of the P.C. Act and sentenced to undergo S.I. for three years and to pay a fine of Rs.20,000/- (rupees twenty thousand only), in default, to undergo further S.I. for a period of three months for the offence under Section 7 of the P.C. Act.

3. Admit.
4. Call for the scanned copy of the Trial Court Records.
5. List this case on 06.07.2026.

I.A. No. 714 of 2026

6. This is an application under Section 389 of Cr.P.C. for grant of bail during pendency of the appeal.

7. Mr. Dhananjaya Mund, learned counsel for the appellant submits that the appellant has been released on bail during investigation and trial and he has not misused the liberty granted to him.

8. Considering the sentence imposed and as the appellant was on bail during investigation and trial, I am inclined to allow the application.

9. If the Appellant- Amar Kumar Das, appears before the learned trial Court within four weeks from today, he shall be released on bail pending disposal of the Criminal Appeal, on



such terms and conditions as may be fixed by the learned trial Court.

10. This I.A. is disposed of.

I.A. No. 713 of 2026

11. This I.A. has been filed for staying realization of the fine amount.

12. Mr. Dhananjaya Mund, learned counsel for the appellant submits that the appellant has superannuated since eleven years, but is only getting provisional pension. He further submits that the amount of illegal gratification is alleged to be Rs.6,865/-, but the learned trial Court has imposed fine of Rs.20,000/- under Sections 13(2) read with Section 13(1)(d) of the P.C. Act as well as under Section 7 of the P.C. Act. He further submits that the Appellant is suffering from age old diseases for which it is difficult for him for deposit the fine amount from his paltry amount of pension and hence the realization of fine amount may be stayed during pendency of the Appeal.

13. Mr. Sanjay Kumar Das, learned Standing Counsel for Vigilance opposes the prayer for stay submitting that as per the decision of the Supreme Court in the cases of *Satyendra Kumar Mehra alias Satendera Kumar Mehra vs. State of Jharkhand : (2018) 15 SCC 139* and *Central Bureau of Investigation vs.*



Ashok Sirpal : 2024 INSC 819, this Court can impose conditions while staying realization of the fine amount. He has further submitted that the Appellant who was working as Project Implementing Agency, Narla-2 and was in additional charge of Watershed Development Project, Narla-1 was caught red handed while demanding illegal gratification for sending utilization certificate and for extension of job of the complainant.

14. Considering the facts of the case and submission of the learned counsel, it is directed that if the appellant deposits an amount of Rs.10,000/- towards the fine amount within a period of four weeks from today before the learned trial Court, the realization of the balance amount of fine shall remain stayed till disposal of the Appeal. Such deposit shall be subject to result of the Appeal.

15. It is also directed that this amount shall be kept in fixed deposit in a Nationalized Bank, so that it can earn interest.

16. The I.A. is disposed of.

17. Urgent certified copy of this order be granted on proper application.

(Savitri Ratho)
Judge