

CRLA No.71 of 2016
Misc. Case No.222 of 2016

03.03.2016

This is an application under Section 389 Cr.P.C. for grant of bail
Heard.

The appellant has been convicted by the learned Special Judge (Vigilance), Sambalpur in CTR Case No.43 of 2004 vide judgment and order dated 27.01.2016 under section 13(2) read with section 13(1)(d) and section 7 of the Prevention of Corruption Act and sentenced to undergo R.I. for two years and to pay a fine of Rs.10,000/- (rupees ten thousand), in default, to undergo R.I. for a period of one month for the offence under section 7 of the Prevention of Corruption Act and R.I. for two years and to pay a fine of Rs.10,000/- (rupees ten thousand), in default, to undergo R.I. for one month for the offence punishable under section 13(2) read with section 13(1)(d) of the Prevention of Corruption Act and the sentences were directed to run concurrently.

Perused the impugned judgment.

Learned counsel for the appellant submits that the petitioner was on bail during trial and he has never misutilised his liberty and therefore he may be granted bail. He further submits that evidence on record has not been taken into consideration in its proper perspective and there is good chances of

success in the appeal and balance of convenience is in favour of the appellant.

Learned counsel for the Vigilance Department has no serious objection to the prayer for bail.

Considering the submission of learned counsels for the respective parties, the prayer for bail is allowed.

Let the appellant on surrendering before the learned Trial Court be released on bail pending disposal of the appeal on furnishing personal bond of Rs.20,000/- (rupees twenty thousand) with two sureties each for the like amount to the satisfaction of the learned Trial Court.

The Misc. Case is disposed of.

S.K.Sahoo, J.

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There shall be stay of realization of fine amount imposed by the learned Trial Court on the appellant till disposal of the criminal appeal.

The Misc. Case is disposed of.

Urgent certified copy of this order be granted as per rules.

S.K.Sahoo, J.

