



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLA No. 549 of 2026

Rajendra Choudhury

....

Appellant

Mr. Saroj Kumar Padhy, Advocate

-versus-

State of Orissa (Vigilance)

....

Respondent

Mr. Sanjay Kumar Das, SC (Vigilance)

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

20.07.2026

Order No.

(Through hybrid Mode)

02.

1. Heard.

2. By judgment and order dated 02.06.2026 of the learned Special Judge, (Vigilance), Balangir in CTR Case No. 26 of 2022 (CRLT No.49 of 2021) arising out of Sambalpur Vigilance P.S. Case No. 20 of 2019, the Appellant-Petitioner has been convicted under Section 7 of the Prevention of Corruption Act, 1988 as amended by the Prevention of Corruption (Amendment) Act, 2018 and sentenced to undergo R.I. for three years for the offence under Section 7 of the P.C. Act and to pay a fine of Rs.10,000/- in default to undergo R.I. of two months more for the offence under Section 7 of the P.C. Act. The pre-conviction detention period, if any, was directed to be set off as per provision under Section 428 of Cr.P.C. / under Section 468 of the BNSS.



3. Admit.
4. Call for the scanned copy of the Trial Court Records.
5. List this case on 04.01.2027.

I.A. No. 1620 of 2026

6. This is an application under Section 430 of the BNSS (under Section 389 of Cr.P.C.) for grant of bail during pendency of the appeal.

7. It is stated by Mr. Padhy, learned counsel for the Appellant and also mentioned in the I.A. that the Appellant was on bail during trial and has never misused the liberty granted to him by the learned Court below.

8. Considering the submissions of the learned counsel, I am inclined to allow the application.

9. It is directed that on the Appellant-Rajendra Choudhury appearing before the learned trial Court within a period of four weeks from today, he shall be released on bail on such terms and conditions as may be fixed by the learned trial Court, during pendency of the Criminal Appeal.

10. This I.A. is disposed of.

I.A. No. 1619 of 2026

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

12. It is stated by the learned counsel for the Appellant that unless the fine imposed by the learned trial Court is stayed



till disposal of the appeal, the appellant will be seriously prejudiced.

13. Mr. Sanjay Kumar Das, learned Standing Counsel for the Vigilance Department submits that in view of taking bribe of Rs.20,000/- from the complainant in order to issue Y-Form and to ensure appearance of the Appellant or his counsel when the appeal is called for hearing, the realization of fine amount should not be stayed.

14. Considering the submission of learned counsel and in view of the decisions of the Supreme Court in the cases of *Satyendra Kumar Mehra alias Satendera Kumar vrs. State of Jharkhand : 2018 (15) SCC 139* and *Central Bureau of Investigation vrs. Shok Sitipal : 2024 INSC 819* and in order to ensure that the Appellant or his counsel appear in the case when the matter is taken up for hearing, it is directed that on the Appellant depositing an amount of Rs.5,000/- out of the total fine amount within a period of four weeks before the learned trial Court, the realisation of the balance amount of fine shall remain stayed. This deposit shall be subject to the result of the appeal.

15. The I.A. is disposed of.

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

(Savitri Ratho)
Judge

Subhalaxmi