

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.1631 of 2022

Rohinikanta Naik @ Nayak

.... Petitioner

Mr. J.N. Panda, Advocate

-versus-

State of Odisha

.... Opposite Party

Mr. Sitikant Mishra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER
08.08.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 294/323/419/506/420, I.P.C.
4. Learned counsel for the Petitioner submits that, both Petitioner and the Informant were involved in business dealing. But, due to some misunderstanding between the both, the Informant has filed a complaint case alleging falsely against the Petitioner. He further submits that, on the direction of the learned Magistrate under Section 156(3), Cr.P.C., F.I.R. has been registered by police. Therefore, the Petitioner apprehends arrest in connection with the present case. Learned counsel for the Petitioner further submits that,

although notice on the Petitioner under Section 41-A, Cr.P.C. was issued by the police, however the same was not in proper format.

5. Considering such submission of the learned counsel for the Petitioner, the Arresting Officer is directed to comply with the provision under Section 41-A, Cr.P.C. properly in accordance with law in connection with Khandagiri P.S. Case No.243 of 2021.

6. With the aforesaid directions, the ABLAPL is disposed of.

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

(A.K. Mohapatra)
Judge



S.K.Parida