

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.7224 of 2022

Girish Chandra Pati and others ***Petitioners***
Mr.B.P.Mohanty, *Advocate*

-versus-

State of Odisha and another ***Opp. Parties***
Mr. M.K.Mohanty, *A.S.C.*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

19.07.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioners and learned Additional Standing Counsel for the State. Perused the FIR, CD and other materials.
 3. The petitioners are apprehending their arrest by Mancheswar/Baleswar Town/Remuna Police in connection with his matrimonial disputes with the Opposite Party No.2. The present bail application has been filed by the petitioners under Section 438 of Cr.P.C. for pre-arrest bail.
 4. It is submitted by the learned counsel for the petitioners that no formal FIR has been registered against the present petitioners in the aforesaid police stations. It is further submitted that the petitioner is at the moment working in a company in Netherland. Recently, he has come to India and he is residing in Balasore i.e. his native place. Since he has a strained relationship with his wife, the petitioner apprehends that the wife might lodge case against the petitioner which may cause

trouble to the petitioner. However, this Court finds that law provides enough protection in such eventuality. In the event, any FIR is draw up against the petitioners, law mandates that 41-A has to be complied. Considering the aforesaid legal position, this court is of the considered view that this bail application is not maintainable.

5. In such view of the matter, the ABLAPL is disposed of.

subhasmita

(A.K. Mohapatra)
Judge

