

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.8846 of 2022

Santosh Kumar Kar

....

Petitioner

Mr. D.K. Sahoo, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. S. Mishra, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

02.08.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. The petitioner is apprehending arrest in connection with an F.I.R. likely to be lodged at the instance of the informant and as such the present anticipatory bail application has been filed seeking pre-arrest bail.
3. It is submitted by learned counsel for the petitioner that till date, no F.I.R. has been registered by the police. It is further submitted by learned counsel for the petitioner that the petitioner apprehending arrest a may be registered against the petitioner making allegation under Sections 420/506, I.P.C. and Section 138 of the N.I. Act before the Mahakalapada police station in the district of Kendrapara or Chauliaganj police station in the district of the Cuttack.
4. Considering the facts and accepting the allegations, this Court is of the opinion that in the event such case F.I.R is registered by the police, the mandatory procedure under Section 41-A of the Code of

Criminal Procedure is required to be followed.

5. In such view of the matter, the ABLAPL is not maintainable and accordingly, the same is dismissed.

(A.K. Mohapatra)
Judge

Jagabandhu

