

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10081 of 2022

Banamali Panda

....

Petitioner

Mr. Lalatendu Bhuyan, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

25.08.2022

Order No.

01. 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.
4. It is stated by learned counsel for the Petitioner that no formal F.I.R. has been registered against the present Petitioner. However the Petitioner was summoned to the Police Station wherein he has given an undertaking before the police on 01.08.2022. Learned counsel for the Petitioner submits that the Petitioner apprehends arrest by police at any moment.
5. Considering such submission and taking into consideration the entirety of the facts of the present case, it is open for the Arresting Officer to follow the mandatory procedure under Section

41-A, Cr.P.C., if the same is applicable to the facts of the present case.

6. With the aforesaid observation, the ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

S.K.Parida

