

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10530 of 2022

Deepak Mahajan & Others

....

Petitioners

Mr. Biswajit Tripathy, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Shashank Patra, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

06.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioners for anticipatory bail.
4. It is submitted by learned counsel for the Petitioners that no F.I.R. has been lodged against the present petitioners till date.
5. Considering such submission that since F.I.R. has not yet been registered against the Petitioners, there is no apprehension of arrest of the Petitioners. Further, in view of the judgment of the Hon'ble Supreme Court in the case of *Arnesh Kumar vs. State of Bihar and another, (2014) 8 SCC 273*, the Arresting Officer shall follow the mandatory procedure under Section 41-A, Cr.P.C. in such event.

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6. 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

