

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.10767 of 2022

Sk. Sagir

....

Petitioner

Mr. A.R. Panda, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

08.09.2022

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. Considering the facts and accepting the allegations only under Section 498-A, I.P.C., 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 in the case of *Arnesh Kumar vrs. State Bihar and another* : reported in (2014) 8 SCC 273.
5. In such view of the matter, the ABLAPL is not maintainable and accordingly, the same is dismissed.

(A.K. Mohapatra)
Judge

