

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12349 of 2022

Prakash Kumar Jena & Others ***Petitioners***
Mr. Pranab Ranjan Chhatoi, Advocate

-versus-

State of Odisha & another ***Opposite Parties***
Mr. shashanka Patra, A.S.C.

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
27.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. It is submitted by learned counsel for the Petitioners that the Petitioners are apprehending arrest in connection with the case likely to be registered by Opposite Party No.2 – Smt. Rojalin Biswal at Cuttack Mahila P.S. / Balikuda P.S., Jagatsinghpur. He further submits that the Opposite Party No.2 may also file complaint case against the petitioners. Learned counsel for the Petitioners further submits that Petitioner no.1 is the husband and Petitioner Nos.2 to 5 are the in-law family members of the Informant (Opp. Party No.2).
3. Considering the nature of allegation and facts of the case, and further in view of the principle laid down by 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 and shall see if the same ratio is applicable here in this case.

4. With the aforesaid observation, the ABLAPL is disposed of.
5. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge

S.K.Parida

