

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.12419 of 2022

Debashees Nanda

Petitioner

....
Mr. Byomakesh Tripathy, Advocate

-versus-

State of Odisha

.... ***Opposite Party***

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

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
28.09.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel.
3. It is submitted by the learned counsel for the Petitioner that the Petitioner apprehends his arrest in connection with a case to be lodged by his wife with some false pretext. Now the Petitioner apprehends that a case is likely to be registered in the Sahadvkhunta Police Station against the Petitioner. He further submits that no case has yet been registered.
3. Considering such submission, there is no apprehension of immediate arrest. The ABLAPL is not maintainable.
4. However, in the event any F.I.R. is registered making allegation against the Petitioner, it is directed that the mandatory procedure of Section 41-A of the Cr.P.C. shall be followed as per the

decision decided in the case of **Arnesh Kumar-v.-State of Bihar and another** : reported in **(2014) 8 SCC 273**, if the same is applicable to the facts of the case.

5. The ABLAPL is disposed of accordingly.

(A.K. Mohapatra)
Judge

RKS

