

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.13633 of 2022

Ranjit Kumar Mohanty

Petitioner

....
Mr.Niranjan Lenka, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. S.Mishra, A.S.C.

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

Order No.

**ORDER
21.10.2022**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. The present bail application has been filed apprehending his arrest in a case which is likely to be registered against the Petitioner in Chandrasekharpur P.S. under section 498-A,323,506 of the Indian Penal Code. However, no F.I.R. has been registered so far against the Petitioner. Therefore, there is no apprehension of arrest of the Petitioner at the moment. Accordingly the ABLAPL is not maintainable.
3. However, in the event any F.I.R. is registered in Chandrasekharpur P.S. in the aforesaid sections, the I.O. shall follow the mandatory procedure as has been directed by the Hon'ble Supreme Court of India in the case of **Arnesh Kumar-v.-State of Bihar and another** : reported in The present bail application has

been filed apprehending his arrest in a case which is likely to be registered against the Petitioner in Chandrasekharpur P.S. under section 498-A, 323, 506 of the Indian Penal Code. However, no F.I.R. has been registered so far against the Petitioner. Therefore, there is no apprehension of arrest of the Petitioner at the moment. Accordingly the ABLAPL is not maintainable.

3. However, in the event any F.I.R. is registered in Chandrasekharpur P.S. in the aforesaid sections, the I.O. shall follow the mandatory procedure as has been directed by the Hon'ble Supreme Court of India 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 present case.

4. The ABLAPL is accordingly disposed of.

5. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge