

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.14727 of 2022

Aloknath Behera

....

Petitioner

Mr. Byomakesh Tripathy, Advocate

-versus-

State of Odisha

....

Opp. Party

Mr. Debasis Biswal, ASC

CORAM:

JUSTICE CHITTARANJAN DASH

ORDER

21.12.2022

Order No.

02.

1. Heard learned counsel for the Petitioner and the State.
2. Learned counsel for the State submits that no FIR has yet been registered against the present Petitioner.
3. It is submitted by learned counsel for the Petitioner that the investigating agency was supposed to adhere the decision of the Apex Court in the matter of *Arnesh Kumar v. State of Bihar* reported in *(2014) 8 SCC 27*, which apparently has not been taken care of.
4. In view of the above, learned counsel for the Petitioner is permitted to withdraw the bail application with liberty to file application afresh if any, cause of action survives.
5. The ABLAPL is disposed of as withdrawn with the liberty as prayed for.

(Chittaranjan Dash)
Judge