

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16330 of 2022

Rajesh Kumar Dash & another

Petitioners

....
Mr. Gita Ku. Sahu, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. P.K. Rout, A.G.A.

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

**ORDER
23.12.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. The present bail application has been filed apprehending their arrest in a case which is likely to be registered against the Petitioners in Balasore Town P.S. under section 498-A of the Indian Penal Code. However, no F.I.R. has been registered so far against the Petitioners. Therefore, there is no apprehension of arrest of the Petitioners at the moment. Accordingly the ABLAPL is not maintainable.
3. However, in the event any F.I.R. is registered in Balasore Town P.S. in the aforesaid section, 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

RKS

