IN THE HIGH COURT OF ORISSA AT CUTTACK
ABLAPL No.14513 of 2024

1) Satyabrata Mahunta **.....** ***Petitioners***
2) Nityananda Mahunta
3) Sebati Mahunta
4) Smruti Ranjan Mahunta
5) Jyoti Ranjan Mahunta
6) Madhusmita Parida

Represented By Adv. -
Saroj Kumar Routray

-versus-

State Of Odisha **.....** ***Opposite Parties***

Represented By Adv. –
Ms.Siva Mohanty, ASC

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA
ORDER
19.12.2024

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. This is an application under section 482 BNSS 2023 filed by the Petitioners for anticipatory bail.

3. It appears that no F.I.R. has been registered against the Petitioners. Therefore, there is no apprehension of their arrest. The ABLAPL is not maintainable.

4. Taking into consideration the submission of the learned counsel for the Petitioners and further keeping in view the judgment of the Hon'ble Supreme Court in the case of ***Arnesh Kumar v. State of Bihar & another*** reported in ***(2014) 8 SCC 273,*** the Arresting Officer is directed to first explore the possibility of applying the principles of section 35(3)(4)(5) of

BNSS, 2023 as has been directed by the Hon'ble Supreme Court in the aforesaid case, in the event the same is applicable to the facts of the Petitioners' case.

5. The ABLAPL is disposed of accordingly.

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

(A.K. Mohapatra)
Judge

RKS

Signature Not Verified
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Signed by: RAMESH KUMAR SINGH
Reason: Authentication
Location: High Court of Orissa
Date: 20-Dec-2024 16:33:17