

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 251 of 2015

Ramdayal S/o Mainuram Gond Aged About 40 Years R/o Village-
Pandripani, Police Station- Bhanupratappur, Civil And Revenue
District- North Bastar Kanker, Chhattisgarh

---- Petitioner

Versus

State Of Chhattisgarh Through: The Station House Officer, Police
Station Ammabeda, District- Kanker, Chhattisgarh

---- Respondent

For Petitioner – Shri N.K. Chatterjee, Advocate.
For Respondent/State – Shri Ashish Shukla, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/10/2015

1. Shri N.K. Chaterjee, Advocate appears and submits that he has been authorized on behalf of Shri Mukesh Shrivastava, Advocate to argue the matter as he comes from Kanker. On the basis of statement made at bar he is allowed to make his submission.
2. In this instant petition under Section 482 of Cr.P.C. prayer is made to quash the proceedings of MJC No.16/2014 which has been initiated against the petitioner who stands surety for the accused Rattu Ram and Bolta when they were granted bail by the High Court in Cr.A. No.1593/2000. By that order only bail granted to the appellants were cancelled and forfeiture of the bail bond was not ordered. Therefore, learned counsel submits that MJC No.16/2014 has to be quashed. Argument advanced by learned counsel for the petitioner has no force as

necessarily if bail is granted pursuant there to the bail bond are furnished bail if itself is cancelled the consequence will flow out of it which followed the recovery of the surety amount. The surety are meant for that purpose only to secure attendance of the accused before the court.

3. In view of this, prayer made in the petition to quash proceedings of MJC No.16/2014 cannot be entertained by invoking powers of this court under Section 482 of Cr.P.C.

4. Accordingly, petition has no merit and it is dismissed at motion stage itself.

Sd/-
(Goutam Bhaduri)
JUDGE