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HIGH COURT OF CHHATTISGARH, BILASPUR

CR.M.P. No. 1410 of 2017

Gajanand Singh Rahi (G.S. Rahi), S/o. Shri Phool Singh Rahi, Aged About 61 Years, Executive Engineer Department Rural Engineering Govt. Of C.G. R/o. Naya Sarkanda Gali No.4 P.S. & P.O. Sarkanda Bilaspur Pin 495001, Tehsil & District Bilaspur, Chhattisgarh

---- Petitioner

Versus

State Of Chhattisgarh, Through S.H.O., P.S. Bagicha District Jashpur, Chhattisgarh

-----Respondents

For Petitioner	: Mr. Shakti Raj Sinha, Advocate
For Respondent/State	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

10/10/2017

Heard.

1. This petition has been filed under Section 482 of Cr.P.C. with a prayer to modify the order passed by this Court in Cr.M.P. No.1247/2017, on 14.09.2017.
2. It is submitted by the counsel for the petitioner that petition under Section 482 of Cr.P.C. was disposed off by order dated 14.09.2017 with direction to the petitioner to appear before the trial Court on or before 30.11.2017 for making prayer to furnish bail bonds as per bail order of the Additional Sessions Judge, Kunkuri, which is standing in favour of the petitioner. It is submitted that in the conclusion of the

order, the direction given that execution of warrant of arrest issued by the Court be stayed till the date given, has been left out because of which, the direction given is meaningless, hence prayed that order dated 14.09.2017, passed in Cr.M.P. No.1247/2017, be modified.

3. Counsel for the State has no objection, if the, order is modified.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. On perusal of the certified copy of the order dated 14.09.2017, passed in Cr.M.P. No.1247/2017, it appears that the direction given after dismissing this petition shall become fruitful only if the petitioner is granted relief in this respect, that warrant issued against him shall remain un-executed till the date fixed for appearance before the Court. Considering the same, the order dated 14.09.2017 is modified and it is ordered, that while giving effect to this order, the warrant of arrest issued against the petitioner shall not be executed till the date given for his appearance before the trial Court. This order be read as part of the order dated 14.09.2017, passed in Cr.M.P. No.1247/2017.
6. Accordingly, the petition stands disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram