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**HIGH COURT OF CHHATTISGARH, BILASPUR****Cr.M.P. No. 42 of 2017**

Dr. Mohan Kosale, S/o Shankar Lal Kosale, aged about 53 years, R/o Bhilai Bazar, Police Station – Kusmunda, Civil & Revenue District – Korba (C.G.)

---- Applicant

**Versus**

State of Chhattisgrh through District Magistrate/Station House Officer, Police Station- Uрга, District -Korba (C.G.)

---- Non-applicant

**And****Cr.M.P. No. 43 of 2017**

Dr. Mohan Kosale, S/o Shankar Lal Kosale, aged about 53 years, R/o Bhilai Bazar, Police Station – Kusmunda, Civil & Revenue District – Korba (C.G.)

---- Applicant

**Versus**

State of Chhattisgrh through District Magistrate/Station House Officer, Police Station- Uрга, District -Korba (C.G.)

---- Non-applicant

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| For Applicant:     | Mr. Dharmesh Shrivastava, Advocate. |
| For non-applicant: | Mr. Prasun Bhaduri, Govt. Advocate. |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****15/05/2017**

(1) The above mentioned both the petitions filed under Section 482 of the Code of Criminal Procedure by one and only applicant namely Dr. Mohan Kosale, therefore, they are hear analogously and decided by this common order.

(2) The petitioner's application under Section 437(6) of the Code of

Criminal Procedure has been rejected by the Judicial Magistrate, First Class, Korba by order dated 11.11.2016.

(3) The petitioners preferred revision thereagainst. The Revisional Court dismissed the revision by order dated 21.12.2016 affirming the order of trial Magistrate.

(4) Both the courts below have concurrently held that the petitioner is not entitled for the benefit of Section 437(6) of the Code of Criminal Procedure by giving cogent reasons. Reasons assigned by the trial court while passing the impugned order are valid and sufficient and on the basis of material available on record, in which I do not find any jurisdictional error warranting interference by this court in the petitions under Section 482 Cr.P.C.

(5) Accordingly, the criminal misc. petitions fail and are hereby dismissed.

(6) However, since petitioners were granted benefit of temporary bail by order of this Court dated 07.02.2017 on the medical ground, therefore, counsel for the petitioner submits that the period of temporary bail may be extended up to 15<sup>th</sup> July, 2017 so that his treatment is complete on or before that date.

(7) Prayer appears to be fair & reasonable.

(8) Accordingly, period of temporary bail be extended up to 16<sup>th</sup> July, 2017 and he will surrender on or before 17<sup>th</sup> July, 2017 before the trial Court.

Sd/-

(Sanjay K. Agrawal)  
Judge

D/-





(Sanjay K. Agrawal)  
Judge

D/-