

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1271 of 2016

1. Sunderlal Nisad S/o Arkhit Nisad, Aged About 45 Years, Occupation Agriculture R/o Lara, Tahsil Pusour, Civil & Revenue District Raigarh, District Raigarh, Chhattisgarh

---- Applicant

Versus

1. State of Chhattisgarh Through Police Choky-Jobi, Thana City Kotwali, Raigarh, District Raigarh Chhattisgarh

---- Non-applicant

For Applicant – Ms. Sharmila Singhai, Advocate.

For Non-applicant/State – Shri Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

27-04-2017

1. At the outset, learned counsel for the applicant would submit that the instant MCRCA may be disposed of as withdrawn without any appreciation on its merit and as the concerned police had filed the charge sheet which is pending before the CJM Raigarh, C.G. and the said charge sheet is filed against four accused, out of those, co-accused Ramesh Pradhan was granted bail in MCRC No.91/2017 vide order dated 14-02-2017 by the coordinate Bench, the applicant intends to surrender before the trial Court and also intends to file an application under Section 437 of the Cr.P.C. The trial Court may be directed to decide the same as expeditiously as possible on the basis of entire material including doctrine of parity if available.

2. As prayed, the instant MCRCA is disposed of as withdrawn without any appreciation on its merit. If the applicant surrenders before the trial Court and files application under Section 437 of the Cr.P.C. for grant of bail, the same be disposed of as expeditiously as possible on the basis of entire material and facts surfaced.

Sd/-

(Chandra Bhushan Bajpai)
JUDGE