

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1266 of 2016

Laxmikant Jaiswal, S/o. Baldev Jaiswal, aged about 30 years, R/o.
Markadadh, PS Rajpur, Distt. Balrampur-Ramanujganj (CG).

---- Applicant

Versus

State Of Chhattisgarh Through the Station House Officer, Police
Station Rajpur, Distt. Balrampur-Ramanujganj (CG).

---- Respondent

For applicant	Mr. Jitendra Shrivastava, Adv.
For Respondent/State	Mr. Vinod Tekam, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board

23-8-2017

1. At the outset, learned counsel for the applicant submits that instant MCRCA may be disposed of as withdrawn as the applicant intends to surrender before the concerned court of Judicial Magistrate First Class having jurisdiction and further intend to file an application under Section 437 of the Cr.P.C. He further submits that concerned court may be directed to hear the matter and decide the said application as early as possible preferably on the same day.
2. As prayed, instant MCRCA is disposed of as withdrawn without any appreciation on its merit. It is directed that if the applicant gives three days' prior notice to the IO/SHO/incharge of Police Station Rajpur, Civil Distt. Sarguja (CG), in connection with Crime No. 141/2014 under Section 409, 420, 467, 468, 34 of the Indian Penal Code, 1860 regarding his surrender before the concerned Judicial Magistrate having jurisdiction and also give 3 days prior intimation to the concerned Judicial Magistrate having jurisdiction and if the applicant after surrender as per law file an application under Section 437 of the Cr.P.C. after completion of all formalities as required under the law by the police and the concerned Magistrate, the said application for release on bail under Section 437 of the Cr.P.C. be disposed of as

expeditiously as possible preferably on the same day on the basis of its own merit.

3. The applicant himself may file copy of the order before the concerned court for compliance. Registrar (Judicial) is also directed to send copy of the order to the concerned Magistrate having jurisdiction through fax and usual mode immediately.
4. MCRCA is accordingly disposed of.
5. Cc today.

Sd/-
(Chandra Bhushan Bajpai)
Judge

Pathak