

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1391 of 2016**

1. Ramkishun Nishad & Others S/o Shri Bisaru Nishad Aged About 42 Years Upsarpanch Gram Panchayat Khisora,
2. Bhaduram @ Bhuneshwar Sahu S/o Shri Nanduram Sahu Aged About 40 Years Panch Gram Panchayat Khisora
3. Umesh Sahu S/o Shri Meghnath Sahu Aged About 54 Years Panch Gram Panchayat Khisora, District Dhamtari, Chhattisgarh.
4. Nandkumar Sahu S/o Shri Paras Sahu Aged About 44 Years Gram Samiti Sachiv Gram Khisora,
5. Ashok Sahu S/o Shri Anandi Sahu Aged About 51 Years
6. Netram Sahu S/o Shri Anandi Sahu Aged About 46 Years Wife Smt. Dayawati (Panch) Gram Panchayat Khisora,
7. Chunram @ Kunjlal Sahu S/o Shri Nand Lal Sahu Aged About 50 Years

All are R/o Village Khisora, Tahsil Magarlod District Dhamtari, CG.

---- Applicants

Versus

State Of Chhattisgarh Through Police Chowki Kareli Badi, Thana-Magarlod, District Dhamtari, Chhattisgarh.

---- Respondent

For applicants	Mr. R.S. Patel, Adv.
For Respondent/State	Mr. Ashok Swarnkar, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****19/04/2017**

1. Heard finally.
2. The applicants have preferred this application under Section 438 of Cr.P.C. for grant of anticipatory bail as they apprehend their arrest in connection with Crime No.264/2016 registered in Chowki Badi Kareli Thana Magarlod, distt. Dhamtari for offence punishable under Section 436/34 of the IPC.
3. At the outset learned counsel for the applicant prays for withdrawal of instant MCRC and further submits that as the applicants intend to appear before the concerned criminal court having jurisdiction over Out Post Badi Kareli Thana Magarlod, Distt. Dhamtari with prior notice

/ intimation to the concerned SHO/IO/in-charge as the case may be and if they file application under Section 437 of the CRPC before the concerned criminal court after completion of the procedural part as required under the CRPC, their application may be heard if possible on the same day.

4. As prayed, instant MCRCA is disposed of as withdrawn without appreciation on its merit. If the applicants surrender, give 3 days prior notice to the SHO/IO/in-charge as the case may be of Chowki Badi Kareli, Thana Magarlod, Distt. Dhamtari, CG and mark their appearance before the concerned criminal court having jurisdiction after completion of the procedural part as required under the Cr.P.C. and if the applicants file application under Section 437 of the Cr.P.C. the court below is directed to dispose of the same preferably same day on its merit.
5. MCRCA is accordingly disposed of.

Sd/-
(Chandra Bhushan Bajpai)
Judge