

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 410 of 2018

1. Anjani Kumahar (Prajapati) S/o Indarlal Kumahar (Prajapati)
Aged About 33 Years R/o Village Bahrashi, P. S. Janakpur Tahsil
Bharatpur, District Korea Chhattisgarh

---- Petitioner

Versus

1. State Of C.G. Through P.S. Janakpur District Korea
Chhattisgarh

---- Respondent

For Petitioner
For Respondent/State

Dr. Shailesh Ahuja, Advocate
Shri Arvind Dubey, Panel Lawyer

Order On Board

By

Hon'ble Shri Justice Prashant Kumar Mishra

23/02/2018

1. Learned counsel appearing for the applicant would submit that the discription of the applicant in the cause title of M.Cr.C.No.794 of 2018 (*Anjani Prajati v. State of Chhattisgarh*) was based on the bail rejection order passed by the Sessions Court, however, in the charge sheet filed against the applicant along with four other accused his names appears as '**Anjani Kumahar, S/o Indarlal Kumahar**'. Therefore, there being difference in the name in the bail rejection order passed by the Court below and in the charge sheet, the petitioner is unable to avail the benefit of the order dated 9-2-2018 passed by this Court in M.Cr.C.No.794 of 2018 allowing his release on bail.

2. A perusal of the document (Annexure – A/2 in M.Cr.C.No.794 of 2018), which is a certified copy of the deposition of the prosecutrix, would confirm the statement made by the learned counsel for the applicant.
3. Considering the entire facts situation of the case, the instant Cr.M.P. for modification of the order dated 9-2-2018 passed in M.Cr.C.No.794 of 2018 preferred by 'Anjani Prajapati, S/o Indar Prajapati' in relation to Cr.No.29/2017 registered at Police Statiuon Janakpur, District Korea, for offence punishable under Sections 147, 149, 456, 354 (Ka), 323, 506, 375 (Kha), 376 (Gha), 450 and 201 of the IPC shall be treated to have been preferred by 'Anjani Kumahar, S/o Indarlal Kumahar', Aged About 33 Years R/o Village Bahrashi, P.S. Janakpur Tahsil Bharatpur, District Korea Chhattisgarh.
4. Remaining conditions of the order dated 9-2-2018 passed by this Court in M.Cr.C.No.794 of 2018 shall remain unaltered.
5. Certified copy of this order be supplied to the parties along with certified copy of the order dated 9-2-2018 passed in M.Cr.C.No.794 of 2018.
6. In the result, the Cr.M.P.No.410 of 2018 stands disposed of.

Sd/-

Judge
Prashant Kumar Mishra

Gowri