

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 468 of 2019

- Ram Kumar S/o Late Pahaluram Aged About 48 Years R/o Sirsi, Police Station Bhaiyathan, District Surajpur, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Udaipur, District Sarguja Chhattisgarh

---- Respondent

For Petitioner : Shri Dev Ashish Biswas, Advocate

For Respondent/State : Shri Aditya Sharma, PL

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25/02/2019

1. Heard.
2. The present petition is against the issuance of notice to the petitioner who stood as surety to bail out one Nandkeshwar Singh. It is contended that earlier the accused Nandkeshwar Singh was released on bail and on a payment of surety of Rs.25000/-. The said accused jumped the bail, therefore, a notice was issued to the present petitioner, the surety, by the Chief Judicial Magistrate for recovery of Rs.25000/- in a MJC. Against that order the present petition has been filed.
3. Learned counsel for the petitioner submits that subsequently the accused

Nandkeshwar Singh was arrested and was released, therefore, the present petitioner who was a surety should have been discharged.

4. The facts of this case would reveal that for default of the appearance of the accused, the bail bond was forfeited and the subsequent release of the accused do not dilute the earlier default. As such, this petition has no merit. It is accordingly dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu