

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No.968 of 2020**

1. Suraj Kiran Miri S/o Rajesh Miri Aged About 30 Years R/o- Bainin Bandhan, Bhojpur, Champa, P.S.- Champa, District- Janjgir-Champa, Chhattisgarh
2. Sumit Kumar Miri S/o Budheshwer Miri Aged About 28 Years R/o- Bainin Bandhan, Bhojpur, Champa, P.S.- Champa, District- Janjgir-Champa, Chhattisgarh
3. Sonu Ratre @ Ashwani Ratre S/o Darash Ram Ratre Aged About 28 Years R/o- Bainin Bandhan, Bhojpur, Champa, P.S.- Champa, District- Janjgir-Champa, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through- S.H.O., Police Station- Champa, District- Janjgir-Champa, Chhattisgarh

---- Respondent**MCRCA No.1276 of 2020**

- Nitesh Kumar Sultania S/o Devnarayan Sultania, Aged About 32 Years R/o Bhojpur, Champa, P.S. Champa, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

----Applicant**Versus**

- State Of Chhattisgarh Through S.H.O. Police Station Champa, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicants : Shri Ravindra Sharma, Advocate
 For Respondent/State: Smt. Fouzia Mirza, Additional AG

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****01/12/2020**

Heard.

1. Learned counsel for the applicants seeks to withdraw the aforesaid bail applications (MCRCA Nos.968 & 1276 of 2020) by submitting that the applicants intend to move application for grant of anticipatory bail before the

Court below as they have directly approached this Court or in the alternative, they may also surrender and apply for grant of regular bail before the Court below, on which, the Court below may be directed to consider and decide the bail application on the same day.

2. It would be left open for the applicants to exercise their liberty to file application under Section 438 of Cr.P.C. or Section 439 of Cr.P.C. In case, the applicants move an application under Section 438 of Cr.P.C., the Court below is directed to consider and decide the same without being influenced that the applicants have directly approached this Court. However, in case, the applicants surrender and move an application under Section 439 of Cr.P.C., the Court below is directed to consider and decide the same at the earliest within an outer limit of three days.

3. Accordingly, the aforesaid bail applications (MCRCA Nos.968 & 1276 of 2020) are dismissed as withdrawn with the liberty as prayed for.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
Judge