

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 79 of 2021**

- Rajkumar S/o Gulab Singh Aged About 32 Years
Prisoner No. 337/ 54 R/o Village Dihiya
Police Station Manda District Allahabad
Utter Pradesh, Through Surendra Kumar Nishad
S/o Radheshyam Nishad Aged 35 Years, R/o
Village Rasela Ghura District Gariyaband
Chhattisgarh.

----- Petitioner**Versus**

- 1.State of Chhattisgarh Through The Secretary,
Home Department, Mantralaya Mahanadi Bhawan,
New Raipur Chhattisgarh.
- 2.Collector / District Magistrate Ambikapur,
District Ambikapur Chhattisgarh.
- 3.Jail Superintendent Central Jail Ambikapur
District Surguja Chhattisgarh.

----- Respondents

For Petitioner :- Mr. Nishi Kant Sinha, Advocate.
For State/Respondent :- Mr. Ravi Bhagat, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

03/02/2021

- 1.Learned counsel for the petitioner would

submit that the application for grant of leave has placed before the concerned Jail Authority, Ambikapur but it has not been forwarded to the District Magistrate, Ambikapur, Surguja, for disposal.

2. Be that as it may, the concerned Jail Authority is directed to send the petitioner's application to the concerned District Magistrate for disposal in accordance with law even if the petitioner is unable to mention the names of two sureties, to be noted in the application, petitioner's application shall be considered by the concerned authority on its own merit but only on the said ground petitioner's case cannot be excluded from consideration on merit.

3. With the aforesaid direction/observation the instant writ petition stands disposed of.

Sd/-
(Sanjay K. Agrawal)
Judge

Ankit