

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5481 of 2021

1. Raju Tiwari S/o Dadooram Tiwari, Aged About 35 Years, Profession Labor, Caste Brahmin, R/o Gram Chainpur, Sadakpara, Police Station And Tahsil Manendragarh, District Koriya (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through The Sub Inspector, Excise Circle, Manendragarh, District Koriya (C.G.).

---- Non-applicant

For Applicant	: Mr. Anuroop Panda, Advocate.
For Respondent/State	: Mr. Adil Minhaj, Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

29/07/2021

- 1) The matter is heard through Video Conferencing.
- 2) The applicant has preferred this application under Section 439 of Code of Criminal Procedure, 1973 stating himself to be in custody since 25/03/2021 in connection with Crime No. 156/2021 registered at Police Station Sub Inspector, Excise Circle, Manendragarh, District Koriya (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
- 3) As per order of the Court below dated 15/07/2021, the applicant was granted temporary bail by the Chief Judicial Magistrate, Baikunthpur on 14/05/2021 for a period of 90 days and as such the application under Section 439 of Cr.P.C. filed by the applicant was rejected by the Court below being not maintainable. Against the said order dated 15/07/2021, the applicant has filed the present bail application which is not maintainable.

- 4) Learned counsel for the applicant seeks to withdraw this bail application with liberty to file afresh, if so required, after the regular bail application of the applicant is decided on merits by the Court below.
- 5) In view of above, the present bail application is **dismissed** as **withdrawn** with the liberty as stated above.

-Sd/-
(Gautam Chourdiya)
Judge

Chandrakant