

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 619 of 2020**

1. Kanhaiyalal S/o Komal Lal Meshram Aged About 45 Years Resident Of Rajim, P.S. Rajim, District- Gariyaband, Chhattisgarh
2. Dr. Vijay Kumar Verma S/o Ramadhar Verma Aged About 50 Years Resident Of Birgaon, P.S. Urla, District- Raipur, Chhattisgarh

---- Appellants**Versus**

- State Of Chhattisgarh Through- Station House Officer, P.S. Mahasamund, District- Mahasamund, Chhattisgarh

--- Respondent

For Appellants	:	Mr. Barun Kumar Chakrabarty, Advocate.
For State	:	Mr. Mateen Siddiqui, Dy. A.G.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****02/07/2021**

1. There is an application for withdrawal of the application of the appeal.
2. We find that one of the appellants Dr. Vijay Kumar Verma had already filed an appeal CRA No.1936 of 2019 aggrieved by order dated 07.11.2019 passed by the NIA Court rejecting his bail application as well as bail application of co-accused Kanhaiyalal. That appeal CRA No.1936 of 2019 has been allowed vide order dated 01.03.2021.
3. During the pendency of aforesaid appeal, it appears that appellant Dr. Vijay Kumar Verma again moved the NIA Court repeating his bail application along with co-accused Kanhaiyalal which was rejected by the NIA Court on 06.07.2020. Apparently Dr. Vijay Kumar Verma, during the pendency of appeal before this Court moved a second application for grant of bail before the Court below and after rejection, filed this appeal before this Court.

4. As far as appellant Kanhaiyalal is concerned, learned counsel for the appellants would submit that since number of facts stated in this case, particularly with regard to co-appellant Dr. Vijay Kumar Verma and also with regard to number of crime, police station, have been incorrectly mentioned, the entire appeal be allowed to be withdrawn with liberty to Kanhaiyalal to file fresh appeal.
5. With the liberty granted to Kanhaiyalal to file appeal, this appeal is dismissed as withdrawn.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge