

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5766 of 2021

1. Prahlad Suryavanshi, S/o Late Patiram Suryavanshi, Aged About 45 Years, R/o Mahamaya Para Bahatarai, P.S. Sarkanda, Tahsil and District- Bilaspur Chhattisgarh.
2. Ramesh Suryavanshi, S/o Jivrakhan Suryavanshi, Aged About 35 Years, R/o Bhatapara, Sipat, District Bilaspur, Chhattisgarh. **---- Applicants**

Versus

- State of Chhattisgarh, Through- P.S. Sarkanda, Bilaspur District- Bilaspur, Chhattisgarh. **---- Non-Applicant**

For Applicants : Shri Naveen Nirala, Advocate

For Non-Applicant/State : Smt. Deepti Shukla, P. L.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

15.09.2021

- 1) Heard on I.A. No. 01, application for withdrawal of present application on behalf of applicant No.2 Ramesh Suryavanshi on the ground that after filing of the present bail application, inadvertently the relative of applicant No.2 filed another bail application on behalf of applicant No.2 which is registered as MCRC No. 5489 of 2021.
- 2) On due consideration I.A. No. 01 is allowed.
- 3) Accordingly, the bail application insofar as it relates to applicant No.2 Ramesh Suryavanshi is dismissed as withdrawn.

- 4) Applicant No.1 Prahlad Suryavanshi has preferred this application under Section 439 of Code of Criminal Procedure, 1973, as he was arrested on 28.05.2021 in connection with Crime No. 608/2021 for the offence punishable under Section 376-D, R/w 34 of IPC, registered at Police Station- Sarkanda, District- Bilaspur (C.G.).
- 5) After arguing for sometime, learned counsel appearing for applicant No.1 seeks to withdraw this application with liberty to file afresh as and when occasion arises.
- 6) Counsel for the State has no objection to the above prayer.
- 7) Permission granted.
- 8) Accordingly, the application insofar as it relates to applicant No.1 is dismissed as withdrawn with the liberty as stated above.

Sd/-

**(Gautam Chourdiya)
Judge**

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