

NAFR

HIGH COURT of CHHATTISGARH, BILASPUR**CRMP No. 824 of 2021**

- Rajkumar Verma S/o Mulchand Verma, aged about 36 years, R/o Purani Basti, Darri P.S. Darri, Tahsil Katghora, Distt. Korba Chhattisgarh

-----Petitioner**VERSUS**

- State of Chhattisgarh through: Station House Officer, Police Station Darri, District Korba, Chhattisgarh

-----Respondent

For Petitioner	: Mr. Soumitra Kesharwani, Adv.
For Respondent/State	: Mr. Vimlesh Bajpai, Govt. Adv.

Hon'ble Shri Parth Prateem Sahu, Judge**Order on Board****06/09/2021**

1. Mr. Soumitra Kesharwani, learned counsel for the petitioner submits that when the order was passed in MCRC No. 7039/2020, in the rejection order of the trial Court crime number 178/2019 is mentioned. Based on the crime number mentioned in the rejection order crime number 178/2019 is mentioned in the application for grant of bail filed under Section 439 of CrPC in MCRC No. 7039/2020. After passing of the order on 10.12.2020 when it was produced before the court below for furnishing bail it revealed that the correct crime number in which the applicant is arrested is 178/2020. After coming to the knowledge of mentioning of crime number, applicant has filed an application for correction of crime number in the rejection order itself which came to be allowed on 20.07.2021. Learned Court below has passed an order of correcting crime number from 178/2019 to 178/2020. He submits that as in the rejection order itself crime number got corrected, impugned order dated 10.12.2020 be accordingly modified.

2. Mr. Vimlesh Bajpai, learned State counsel would submit that as there is no typographical error on the part of learned counsel at the time of filing of bail application but in the impugned order itself crime number has been wrongly mentioned, the order of modification of the impugned order cannot be passed as it will be reviewing of the impugned order.
3. I have heard learned counsel for respective parties.
4. It is a case of petitioner himself that in the impugned order of MCRC No. 7039/2020 itself the crime number is mentioned as 178/2019 and on the date of considering the application for grant of bail in MCRC No. 7039/2020 Court has considered the crime number as mentioned in the impugned order challenged in that proceedings and mentioned in the bail application as 178/2019, I am of the view that in the aforementioned facts and circumstances of the case, application for modification of order impugned cannot be allowed, hence, it is dismissed. However, the petitioner is at liberty to challenge the order of rejection of his bail application in crime number 178/2020 by filing afresh application, in accordance with law.

Sd/-

(Parth Prateem Sahu)
Judge